



**LANE COUNTY**

**RURAL COMPREHENXIVE PLAN**

**GENERAL PLAN POLICIES 1984**

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## PART 1: INTRODUCTORY MATERIAL

### A. INTRODUCTION TO THE RURAL COMPREHENSIVE PLAN

The Lane County Rural Comprehensive Plan applies to all unincorporated lands within the County beyond the Urban Growth Boundaries of incorporated cities in the County and beyond the boundary of the Eugene-Springfield Metropolitan Area Plan. Where these lands are beyond County jurisdiction (such as National Forest lands), the Plan applies but its application is regulated by federal law. In addition, it does contain provisions and representations of County positions on various issues, to be used by those agencies, such as the US Forest Service, in their own management actions, and also used in the event that lands not in County jurisdiction enter County jurisdiction.

The Plan follows the format of the LCDC Statewide Planning Goals, recognizing that they must be met by all local jurisdictions in Oregon. It is composed of two major elements:

1. County General Plan Policies: For each LCDC Goal, there are one or more Policies to be applied by the County toward land use and other planning and resource-management issues, in the interests of compliance with sound planning principles and statewide planning law. Policies are binding commitments, but will be carried out within established work programs and over all County priorities. The application of Policies which call for any programs or studies will occur as County resources in terms of both staff and budgetary allocations permit.
2. Plan Diagrams: Two major planning regions are identified for Lane County--the Coastal Region and the Inland Region. For each, detailed representations of land use are depicted on maps, on Plan Diagrams. Land use regulation methods, such as zoning, are applied to carry out the intent of the designations. The application of the general plan is primarily through zoning. In fact planning and zoning designations are set forth on the same map.

Chart One diagrams the relationship of these elements, and also indicates relationships with other portions of the County Comprehensive Plan.

The document now before the reader is one of the two above components--the County General Plan Policies document. The Policies document is the broad, direction-setting portion of the Plan, and lays out approaches for interpretation of County planning needs and means of complying with State of Oregon planning law. This law attaches great importance to local jurisdictions having adopted comprehensive plans which in turn meet the requirements of Statewide Planning Goals. Accordingly, matters of interpretation concerning the General Plan are to be resolved in favor of compliance with these Goals, and the Plan itself shall be recognized as representing the County's best effort in meeting the requirements of LCDC and its policy expressions, including Goals.

## CHART ONE

### COMPREHENSIVE PLAN FOR LANE COUNTY (includes all adopted general and detailed plans)

EUGENE-SPRINGFIELD METROPOLITAN  
AREA PLAN  
(Includes all land within plan boundaries)

SMALL AREA PLANS  
EXAMPLE:  
NORTH SPRINGFIELD

SPECIAL PURPOSE PLANS  
EXAMPLES:  
-METRO BIKE PLAN  
T-2000 TRANSPORTATION PLAN

PLANS FOR SMALL INCORPORATED  
CITIES  
(Areas within Urban Growth  
Boundaries but  
outside City Limits)

COTTAGE GOVE  
CRESWELL  
OAKRIDGE  
WESTFIR  
PLAN  
LOWELL  
COBURG  
JUNCTION CITY  
VENETA  
FLORENCE  
DUNES CITY

LANE COUNTY GENERAL PLAN  
(Includes all unincorporated lands beyond  
Metropolitan Plan Boundary and  
Small City Urban Growth Boundaries)  
-PLAN POLICIES  
-COASTAL PLAN DIAGRAM  
-INLAND PLAN DIAGRAM

SINGLE PURPOSE PLAN  
(May include both metro,  
rural and small city areas)  
EXAMPLES:  
-SOLID WASTE MANAGEMENT PLAN  
-PARKS AND OPEN SPACE PLAN  
-COASTAL RESOURCES MANAGEMENT PLAN

## B. INTRODUCTION TO THE COUNTY POLICIES COMPONENT OF THE GENERAL PLAN

County Policies are broad, somewhat generalized statements that provide direction to County decision makers in their efforts to choose between competing uses for given resources, and in their efforts to solve historic problems and prevent new ones from occurring. The Policies cover complex topics and lay the groundwork for future actions of various kinds. The Policies expressed here apply to rural Lane County, outside of the Urban Growth Boundaries of cities and beyond the Plan Diagram Boundary of the Eugene-Springfield Metropolitan Area General Plan. They are designed to be compatible with similar Policies--and planning efforts--of other governmental jurisdictions in the County.

In some respects, the Policies can be considered the basis of the County plan, in that they provide the lead, or the general direction, for subsequent County actions to deal with various land use and resource management decisions. In doing so, they are directly intended to fulfill the mandate of the LCDC statewide planning Goals.

Four statewide planning Goals are not addressed in this document: the four "Coastal Goals" (LCDC Goals 16-19). These, and Policies connected with them, are located in a special-purpose Coastal Resource Management Plan developed and adopted for use in the Coastal portion of the County. They should be used in concert with the "basic fifteen" Goals. Since they are special-purpose in nature, and deal more specifically with particular concerns of the Coastal area, conflicts may arise or be generated between the Coastal Policies and the "basic fifteen" and should be resolved in favor of the Coastal Policies until, and if one or the other conflicting statement is changed to eliminate the conflict.

The Willamette Greenway Goal is considered to be part of the "basic fifteen".

## C. HISTORY OF THE POLICIES DOCUMENT

The Policies contained in this document were developed during a period of more than a year, beginning in early 1983. A process was devised at the beginning of the period to utilize existing working papers and to prepare a series of new working papers which, along with other sources, were to serve as the technical data based for the Policies. The Working Papers were written and published from mid-1981 to early 1984. Each Working Paper contained information on a given topic or topics, and a number of them contained preliminary Policies which were drawn from the information in the Papers and which were presented for initial discussion purposes.

Hearings were held on the Papers as they were published. Each Planning Commission reported to the Board of County Commissioners containing its reaction to the Paper and draft Policies. Often the Policy statements drew on sources other than the Working Papers--existing County Plan information (such as special-purpose plans or technical studies), comments or testimony of individuals or groups appearing at the hearings, the judgment and views of Planning Commission members and so on--and so represented a broad array of perspectives and attitudes. Each Planning Commission Report cited information used in Policy development, in order to provide a firm basis for Policy use. The background information, including the Working Papers, is to be used to help interpret

and understand General Plan approaches but is not itself designed to be adopted as legislative law. The Board formally adopted the Policies in February of 1984.

#### D. CITIES, COMMUNITIES AND RURAL LANDS

While the Policies in this document are directed at Lane County government, it is clearly recognized that the County has a responsibility to, and must coordinate efforts closely with, the incorporated cities within its boundaries. Statewide planning law requires that each incorporated city develop and adopt its own land use plan which must itself comply with LCDC Goals. The plan must contain essentially the same elements as the County General Plan, with an additional element of an identified Urban Growth Boundary (required by Goal 14). Future urban growth for each city is to take place within that Boundary. In the case of the Eugene-Springfield Metropolitan Area Plan, a mutual Boundary is adopted by both cities and the County. For all other cities, the County must ratify the cities UGBs by independent evaluation of, and adoption of, appropriate city plan provisions.

Through this method, the County becomes responsible for administering the provisions of city plans within the city UGBs but outside of the corporate city limits. "Joint Agreements for Planning Coordination" drawn up between the County and each city lay the framework for cooperative action in the effort. Policies concerning Goal 14 in this document further indicate County" posture toward city plans. County adoption of city plans--or amendments thereto--ensures that conflicts between city plans and County Plan do not readily occur.

Unincorporated communities are treated differently. They are identified as "community" on the Plan Diagrams, but are not given official Urban Growth Boundaries. Instead, the probable limits of growth over the planning period are reflected in the area within the "community" designation. Since lands within these areas are under County jurisdictions, no Joint Agreements are required, but development there must be justified by "committed lands" exceptions.

Areas within rural Lane County qualifying as Exception areas on the basis of pre-committed uses are not necessarily "communities" as such, but do have some of the characteristics of community development--higher densities, for example. These areas are treated much as unincorporated communities are within the General Plan, in that they are solely under the County jurisdiction, and they are provided with specific land use designations and zoning reflective of their characteristics. They are not portrayed, however, with the broad "community" designation in most cases. For purposes of Plan administration, a parcel of land is either within a UGB or designated: community or it is not--the deciding factor is the portrayal on the Plan Diagram. Lands adjacent to such "boundaries are not considered to be within them until and if the boundaries are adjusted to accommodate them.

Finally, lands considered as agricultural, forest or natural resources are lands not within any of the above classifications. These lands include the vast majority of total Lane County acreage, and are under the jurisdiction of the County plus state and federal governments (National Forests). The Statewide Planning Goals and the Policies of this Plan limited

substantial rural development. However, it is recognized that such development may occur provided it is consistent with the policies contained in this document.

## E. IMPLEMENTATION

As stated earlier, the County Policies are intended to guide actions and decisions. Although the policies have a common feature (i.e., relating to one or more aspects of land use) they cover a broad range of topics and concerns. Because of this wide range, it is not reasonable to assume all policies are to be implemented in the same manner. Visualizing a policy as being in one or more of the following categories will provide a better understanding as to its application.

### Advisory Policies

These are statements describing the County's position on a certain topic or issue; generally but not always, relating neither to a subject, nor under the direct jurisdiction of the County. These policies are primarily intended to inform or influence the actions of other parties. They do not have direct influence on the implementation of the General Plan through Plan Map designation, zoning of land or County Regulations.

Examples: "Lane County recommends that no new wilderness areas be designated without a complete analysis of the revenue and employment impacts on Lane County. Where designations are made, negative employment and revenue impacts should be mitigated by increasing allowable timber harvests on other public lands."

### Commitment Policies

These are statements describing a future action the County intends to undertake. The policies cover a variety of topics including (a) guidance in County operations, procedures and relationships with other agencies, (b) recognition of state and federal requirements, and (c) general direction or intent. Where the County believes the action is necessary to carry out State Planning Goals or the General Plan the commitment will be in a mandatory, binding form (i.e., Lane County shall . . .). Where the action may be desirable, however, not absolutely necessary, the statement may be phrased in a non-mandatory, advisory manner (i.e., Lane County is encouraged to...). As with advisory policies, the commitment policies do not have a direct influence in plan diagram designations or zoning. Actions resulting from the commitment may, however, have a direct influence. Inasmuch as these policies are describing a future action, lack of achievement at any particular point in time due to lack of resources shall not be construed as a failure to carry out the plan.

Examples: "Lane County shall actively support and assist progressive solid waste management efforts. The Lane County Solid Waste Management Plan shall be the primary instrument to affect this policy".

"Lane County is encouraged to investigate and utilize fee acquisition, easements, cluster development, preferential assessment, development rights acquisition and similar techniques to implement these policies."

"Avoidance and/or control of soil erosion shall be a major criterion addressed in all applicable County review procedures."

### Plan Conformity Policies

These are directives applicable to land use designations. They are intended to guide designations on both plan diagrams and zoning maps. These policies are initially implemented by the adoption of the plan diagrams and zoning maps. Subsequent rezoning and/or plan diagram amendments must be in accord with these policies (i.e., an action that would be inconsistent with policies in this category is consistent with the plan). The policies are applicable to both legislative and quasi-judicial actions:

Example: "Land use designations in the Comprehensive Plan and implementing zoning shall be commensurate with groundwater aquifer capacities."

Depending on the circumstances, a given policy may fall into more than one category. The purpose of establishing these classifications is 1) provide a better understanding of how the plan will be implemented, and 2) provide a review standard for future land use changes. This latter purpose is accomplished by requiring any future rezoning and/or plan diagram be in accord with the Plan Conformity Policies. This review standard is considered to be the minimum level of review. As a minimum threshold, however, it should not be construed to mean that compliance with the plan conformity policies is the sole criterion and other policies cannot be taken into consideration. If it can be demonstrated that approval of a change, even though satisfying the plan conformity policies, is in conflict with other policies or State Planning Goals, the request may be denied. The classification of the Policies will be set forth as an appendix to this document.



## **PART II: LANE COUNTY GENERAL PLAN POLICES**

### **GOAL ONE: CITIZEN INVOLVEMENT**

1. Lane County shall assure the availability of planning information in a timely manner to all County citizens.
2. Plan implementation shall include participation by the general public through a citizen involvement program in the development, adoption and application of codes and ordinances needed to carry out the County General Plan requirements.
3. Firmly identified public needs and desires shall be responded to by the County planning process, within the parameters of state and local planning requirements.
4. The Citizen Involvement Program Committee (CIPC) of Lane County is recognized as the primary body advising the Board as to:
  - a. citizen access to planning information;
  - b. effectiveness of the existing program;
  - c. needed program changes or new program areas;
  - d. compliance with LCDG Goal #1 (Citizen Involvement).

Because of its regular meeting schedule, its countywide perspective coming from members representing different geographical and population areas of Lane County, and its expertise in land use policy matters, the Planning Commissions has been designated as Lane County's Citizen Involvement Program Committees.

5. The program of communicating with chartered community organizations shall be continued. And, Lane County shall communicate with watershed councils (recognized pursuant to LM 3.508) and citizens within watershed areas, and provide them with opportunities to assist Lane County with development of community plans.
6. Identification of priorities for and adoption of capital improvement programs shall be done through the citizen involvement program.

## GOAL TWO: LAND USE PLANNING

1. The purpose of the revised Lane County Comprehensive Plan shall be to provide information to assist public and private decision-making, and to meet the requirement of Oregon State Planning Goals and associated laws.
2. The Policies shall provide the direction for County growth and development and programs for dealing with planning issues; the Plan Diagrams shall be specific graphic descriptions of proposed land use throughout the County, and shall be the primary basis for zoning decisions.
3. All products of the County Planning process shall be made available for public review and comment and shall be adopted through the hearings process.
4. The County shall be divided into two sub-County regions: the Coastal Region and the Inland Region. Each region shall have its own Plan Diagram. The dividing line shall be the summit of the Coast Range.
5. The Lane County Planning Commission shall have primary advisory authority to the Board of County Commissioners for and County wide land use policy issues.
6. The revised General Plan shall have primary jurisdiction in all areas of the County outside the incorporated City Urban Growth Boundaries and the Plan Boundary shown on the Eugene-Springfield Metropolitan Area Plan Diagram (which includes UGB plus additional territory).
7. The Planning period for the revised Plan shall be 20 years with revisions and update to occur every five years, beginning five years from the date of adoption.
8. It shall be the policy of the County to systemize and streamline the existing Plan Amendment process, to make the process more efficient and more responsive to individual needs. This will be accomplished by future amendment of the Lane Code.
9. Exceptions to LCDC Goals (i.e. a determination that it is not possible to apply an appropriate goal to a specific property) shall be in accordance with OAR 660-04-000 (Goal 2 Exception Process) and shall only be taken at times of Plan adoption or amendment.
10. Lane County shall update the Rural Comprehensive Plan during periodic review to plan and zone unincorporated communities to comply with OAR 660 Division 22, "UNINCORPORATED COMMUNITIES", the "Unincorporated Community Rule" (UCR). Once updated any changes in the planning and zoning for the unincorporated communities shall comply with the UCR. The UCR was adopted by the State Land Conservation and Development Commission (LCDC) on October 28<sup>th</sup> 1994 and became effective on December 5, 1994. The definitions in the UCR for "unincorporated community" and for the four types of unincorporated communities are included in Goal 2 Policy 10 a-b below. Section -0020(3) (a) of the UCR allows counties to plan and zone areas as communities if the, "Land has been acknowledged as an exception area and historically considered to be part of the community." The acknowledged exception areas historically considered by Lane County to be communities are identified in Goal 2 Policy 10 c below.
  - a. An "Unincorporated Community" (OAR 660-022-0010(9)) means, "A settlement with these characteristics:

- i. It is made up of lands subject to an exception to Statewide Planning Goal 3, Goal 4 or both;
  - ii. Prior to the date that OAR 660 Division 22 was adopted, October 28, 1994, it was designated in The Lane County Rural Comprehensive Plan (RCP) as a "Community";
  - iii. It lies outside the urban growth boundary of any city;
  - iv. It is not incorporated as a city; and
  - v. It meets the definition of one of the four types of unincorporated communities in Policy 3 below:
- b. There are four types of unincorporated communities:
- i. "Rural Community" (OAR 660-022-0010(6)) means, "An unincorporated community which consists primarily of residential uses but also has at least two other land uses that provide commercial, industrial, or public uses (including but not limited to schools, churches, grange halls, post offices) to the community, the surrounding rural area, or to persons traveling through the area.
  - ii. "Resort Community" (OAR 660-022-0010(5)) means, "an unincorporated community that was established primarily for and continues to be used primarily for recreation or resort purposes and that: includes residential and commercial uses; and provides for both temporary and permanent residential occupancy, including overnight lodging and accommodations.
  - iii. "Rural Service Center" (OAR 660-022-0010(7)) means, "An unincorporated community consisting primarily of commercial or industrial uses providing goods and services to the surrounding rural area or to persons traveling through the area, but which also includes some dwellings.
  - iv. "Urban Unincorporated Community" (OAR 660-022-0010(8)) means, "An unincorporated community which has the following characteristics:
    - A. Includes at least 150 permanent dwelling units including manufactured homes;
    - B. Contains a mixture of land uses including three or more public, commercial or industrial land uses;
    - C. Includes areas served by a community sewer system; and
    - D. Includes areas served by a community water system.
- c. On February 29, 1984, Lane County adopted Ordinance No. PA 884. that applied a "community" plan diagram designation and zoning to 35 separate, developed and committed exception areas: Glenada, Cushman, Mapleton, Swisshome, Deadwood, Greenleaf, Triangle Lake, Walton, Blachly, Noti, Elmira, Crow, Franklin, Cheshire, Alvadore, Lorane, Lancaster, London, Saginaw, Goshen, Pleasant Hill, Jasper, Marcola, Trent, Dorena, Culp Creek, WaltCrville, Fall Creek, Dexter, Leaburg, Vida, Nimrod, Blue River, Rainbow, McKenzie Bridge.
- d. The following unincorporated communities within the McKenzie Watershed are designated in the RCP as "Unincorporated Rural Communities":

- i. Marcola,
    - ii. Walterville,
    - iii. Leaburg.
    - iv. Vida,
    - v. Nimrod
    - vi. Blue River,
    - vii. Rainbow, and
    - viii. McKenzie Bridge.
  - e. The following unincorporated communities within the Siuslaw Watershed are designated in the RCP as "Unincorporated Rural Communities":
    - i. Glenada,
    - ii. Cushman,
    - iii. Mapleton,
    - iv. Swisshome,
    - v. Deadwood,
    - vi. Greenleaf,
    - vii. Triangle Lake,
    - viii. Blachly, and
    - ix. Walton.
  - f. The following unincorporated communities within the Long Tom Watershed are designated in the RCP as "Unincorporated Rural Communities":
    - i. Lancaster,
    - ii. Franklin,
    - iii. Cheshire,
    - iv. Alvadore,
    - v. Elmira,
    - vi. Noti,
    - vii. Crow, and
    - viii. Lorane.
11. Land use designations and densities appropriate for developed and committed areas shall be determined through compliance with other plan policies and the following criteria:
- a. A Rural Residential designation shall be applied to developed and committed exception areas which are devoted to rural housing uses as evaluated by the following criteria:

- i. existing development pattern and density;
- ii. on-site sewage disposal suitability, or community sewerage;
- iii. domestic water-supply availability;
- iv. access;
- v. public services;
- vi. lack of natural hazards; and
- vii. effect on resource lands.

Before the RCP plan diagram for a community area is amended to comply with OAR 660 Division 22, densities of 1, 2, 5 or 10 acres shall be applied to represent existing development patterns and to limit problems resulting from a negative evaluation of any of the above criteria.

When the RCP plan diagram for a community area is amended to comply with OAR 660 Division 22, the UC Rule, new dwellings and densities for the creation of new residential lots or parcels shall comply with OAR 660 Division 22, the UC Rule and the with these requirements for specific unincorporated communities:

- i. For the Unincorporated Communities of the McKenzie Watershed, the density for the creation of new lots or parcels shall be:
  - A. Marcola: 1 acre (1998 existing average parcel size = .82 acres);
  - B. Walterville: 2 acres (1998 existing average parcel size = 1.58 acres); C. Leaburg: 2 acres (1998 existing average parcel size = .98 acres);
  - C. Vida: 2 acres or 5 acres for areas zoned RR5 prior to the adoption of Ord.
  - D. P A 1173 and located adjacent to or north of Gate Creek Road (1998 existing average parcel size = 1.35 acres);
  - E. Nimrod: 2 acres for areas zoned RR2 prior to the adoption of Ord. P A 1173. 5 acres for areas zoned RR5 prior to the adoption of Ord. P A 1173. (1998 existing average parcel size = 1.83 acres);
  - F. Blue River: 2 acres for areas zoned RR2 prior to the adoption of Ord. P A 1173. 5 acres for areas zoned RR5 prior to the adoption of Ord. P A 1173. (1998 average parcel size = 4.56 acres in areas zoned RRJ, 2.45 acres in areas zoned RRI and .65 acres in RA zoned areas);
  - G. Rainbow: 2 acres south of Highway 126, west of Mill Creek Road and north of the McKenzie River. 2 acres in areas zoned RR2 prior to the adoption of Ord. P A 1173. 5 acres for areas zoned RR5 prior to the adoption of Ord. P A 1173. (The 1998 average parcel size = 1.65 acres); and
  - H. McKenzie Bridge: 2 acres west of bridge, along Highway 126 and Taylor Road, and south of the McKenzie River and along Horse Creek Road. 2 acres in areas zoned RR2 prior to the adoption of Ord. P A 1173. 5 acres for areas zoned RR5 prior to the adoption of Ord. P A 1173. (The 1998 existing average parcel size = 1.86 acres.).
- ii. For the Unincorporated Communities of the Siuslaw Watershed, the density for the

creation of new lots or parcels shall be:

- A. Glenada: 2 acres. . (1998 *average parcel size in the Rural Residential Zone was 1.37 acres*);
  - B. Cushman: 5 acres. (J 998 *average parcel size in the Rural Residential Zone was 1.52 acres*);
  - C. Mapleton: 1 acre for areas zoned RRI, 2 acres for areas zoned RR2, and 5 acres for areas zoned RR5 prior to the adoption of Ord P A 1194. (J 998 *average parcel size in the Rural Residential Zone was 1.15 acres*);
  - D. Swisshome: 2 acres. (1998 *average parcel size in the Rural Residential Zone was 1.74 acres*);
  - E. Deadwood: 2 acres for areas zoned RR2 and 5 acres for areas zoned RR5 prior to the adoption of Ord P A 1194. (J 998 *average parcel size in the Rural Residential Zone was 1.96 acres*);
  - F. Greenleaf: 5 acres. (J 998 *average parcel size in the Rural Residential Zone was 3.33 acres*);
  - G. Triangle Lake: 2 acres. (J 998 *average parcel size in the Rural Residential Zone was 0.68 acres*);
  - H. Blachly: 2 acres. (J 998 *average parcel size in the Rural Residential Zone was 0.71 acres*); and
  - I. Walton: 5 acres. (1998 *average parcel size in the Rural Residential Zone was 4.08 acres*).
- iii. For the Unincorporated Communities of the Long Tom Watershed, the density for the creation of new lots or parcels shall be:
- A. Lancaster: 5 acres. (J 998 *average parcel size in the Rural Residential Zone was 1.57 acres*);
  - B. Franklin: 1 acre for areas zoned RRI prior to the adoption of Ord PA 1194. (J 998 *average parcel size in the Rural Residential Zone was 2.15 acres*)
  - C. Cheshire: 1 acre for areas zoned Suburban Residential (RA) prior to the adoption of Ord P A 1194. (1998 *average parcel size in the Suburban Residential Zone was 2.86 acres*);
  - D. Alvadore: 1 acre for areas zoned Suburban Residential (RA) prior to the adoption of Ord PA 1194. (1998 *average parcel size in the Suburban Residential Zone was 1.60 acres*);
  - E. Elmira: 2 acres for areas zoned RR2 and 5 acres for areas zoned RR5 prior to the adoption of Ord P A 1194. (J 998 *average parcel size in the Rural Residential Zone was 2.10 acres*);
  - F. Crow: 2 acres for areas zoned RR2 and 5 acres for areas zoned RR5 prior to the adoption of Ord P A 1194. (J 998 *average parcel size in the Rural Residential Zone was 2.85 acres*);
  - G. Lorane: 2 acres for areas zoned RR2 and 5 acres for areas zoned RR5 prior to

the adoption of Ord P A 1194. (1998 *average parcel size in the Rural Residential Zone was 3.99 acres*);

H. Noti: 2 acres for areas zoned RR2 and 5 acres for areas zoned RR5 prior to the adoption of Ord P A 1194. (J 998 *average parcel size in the Rural Residential Zone was 2.63 acres*).

For developed and committed exception areas designated by the RCP as Rural Residential and located outside of communities or unincorporated communities, new dwellings and densities for the creation of new lots or parcels shall comply with OAR 660-004-0040, Application of Goal 14 (Urbanization) to Rural Residential Areas. .

- b. A Rural Commercial designation shall be applied to existing uses and/or tracts presently zoned for commercial activities addressing the same criteria as listed for the Rural Residential designation. The Rural Commercial designation shall encompass all commercial activities in the rural area. The range of limited, medium and medium heavy commercial zoning shall be applicable in areas with a Community designation until the RCP and zoning for the areas are updated to comply with OAR 660 Division 22, the UC Rule. A single rural commercial zone shall be applied to areas updated to comply with OAR 660 Division 22, the UC Rule or with Goal 14.
  - c. A Rural Industrial designation shall be applied to existing uses and to tracts presently zoned for industrial activities addressing the same criteria as listed for the rural residential designation. The range of limited, medium and medium/heavy industrial zoning shall be applicable in areas with a Community designation until the RCP and zoning for the areas are updated to comply with OAR 660 Division 22, the UC Rule. A single rural industrial zone shall be applied to areas updated to comply with OAR 660 Division 22, the UC Rule or with Goal 14.
  - d. A Park and Recreation designation shall be applied to uses devoted to park and recreational activities (Le., campgrounds, developed parks, etc.).
  - e. A Public Facility designation shall be applied to publicly owned grounds and facilities (Le., schools, etc.).
  - f. An Airport designation shall be applied to existing, developed airport facilities.
12. Changes to Plan designations for developed and committed exception areas outside of a Community designation shall be accomplished through the County's Plan Amendment Procedure.
13. Until the RCP plan diagram for a "community" is amended to comply with OAR 660 Division 22, the UC Rule, plan refinement within a "Community" designation shall be accomplished' by means of rezoning within the "Community" designation, addressing the following criteria:
- a. The proposed use will not adversely affect the livability or appropriate development of the surrounding area;

- b. Commercial and industrial activities within Communities shall, to the greatest degree practicable, be concentrated in identifiable nodes which are (favorably located with reference to transportation facilities and other public ~services.
14. Until the RCP plan diagram is amended to comply with OAR 660 Division 22, the UC Rule, zone changes for developed and committed exception areas with a Community designation shall be accomplished through the Plan refinement process unless a finding exists that the refinement criteria are either non-applicable to, or satisfied by, the proposed zone change.
15. The McKenzie Watershed Land Use Policies below are part of the Rural Comprehensive Plan and shall apply to developed and committed exception lands in the McKenzie Watershed. The Lane County General Plan Policies shall also apply to these developed and committed lands. Where the McKenzie Watershed Land Use Policies are more restrictive than the Lane County General Plan Policies, the McKenzie Watershed Land Use Policies shall apply rather than the Lane County General Plan Policies.
- a. Recreation and tourism are a few of the multiple uses of the McKenzie valley and are important to the economy of the communities in the McKenzie valley. Recreation resorts are one method to promote recreation and tourism in the McKenzie Valley and should be allowed in compliance with the requirements in LC 16.
  - b. Lane County recommends that the approximate federal floodplain elevations for the community of Blue River and nearby developed and committed lands in the McKenzie watershed be updated with more specific and surveyed flood elevations and Federal Emergency Management Agency (FEMA) maps.
  - c. Lane County recommends that plans be developed and implemented for the maintenance and repair of the existing on-site sewage disposal systems in the community of Marcola and for the downtown area of the community of Blue River. A more aggressive and long term alternative to the development of such plans would be development of public facility plans for public sewers and updating these community plans to comply with the requirements of the Community Rule for ' urban unincorporated communities. Another more aggressive and long term alternative would be for these communities to incorporate and to perform the land use planning as cities in compliance with Goal 14.
  - d. The former veneer mill site in Blue River (map 29-16-4E, t1202) is vacant land and, until Lane County's year 2000 periodic review, was designated industrial and zoned Light Industrial, M-2. The industrial designation and M-2 zone allowed the veneer mill to operate as a permitted use and allowed the operation of other industries. The industrial designation and industrial zoning on this land shall be maintained but does not preclude a future change of plan designation and zoning for this land. Any division of this land for the creation of parcels or lots shall demonstrate that the soil of the lots or parcels does not contain any contaminants that pose a hazard to its use.
  - e. New rural public facility, commercial, and industrial development within the McKenzie Watershed shall be located inside unincorporated rural communities or outside of unincorporated rural communities in developed and committed areas that were planned and zoned for public facility, commercial or industrial purposes on April 17, 2002.



16. New rural public facility, commercial, and industrial development within the Siuslaw Watershed and the Long Tom Watershed shall be located inside unincorporated communities or outside of unincorporated communities in developed and committed areas that were planned and zoned for public facility, commercial or industrial purposes on February 18, 2004. An exception to this policy shall be for plan amendments or zone changes adopted pursuant to Policy 27 - Errors or Omission, and legislative actions adopted by the Board of County Commissioners during a Periodic Review Work Program. New rural industrial development that requires a rural location in order to process a rural resource may be located in a developed and committed area outside of a community. This policy shall be implemented in part through the application of zoning regulations in LC 16 that place greater limits on rural development outside of communities than on rural development inside of communities. Amendments to the Rural Comprehensive Plan to designate new areas for rural commercial, industrial and public facility development shall occur in nodes with similar existing development.
17. Lane County shall recognize and incorporate into the Lane County Comprehensive Plan all prior land use applications approved since January 1980 with respect to the Statewide Planning Goals to the extent legally possible.
18. Where lands are not farm and forest lands, they may be designated on the plan diagram as rural residential or as parks and recreation, provided:
  - a. Detailed and factual documentation has been presented indicating that the subject lands are not farm and forest lands as defined by Statewide Planning Goals #3 and #4.
  - b. An exception to any of the Statewide Planning Goals is not required.
  - c. Small isolated non-resource tracts surrounded by farm and forest lands shall be discouraged if such non-resource designation would create compatibility problems.
  - d. The Rural Residential Designation would be consistent with other Comprehensive Plan Policies.
19. Residential densities for non-resource lands shall be one residence per five or ten acres and shall be determined through consistency with other plan policies and the following criteria:
  - a. Existing development pattern and density of any adjacent committed areas;
  - b. Subsurface sewage disposal suitability;
  - c. Domestic water supply availability;
  - d. Access;
  - e. Public service;
  - f. Lack of natural hazards;
  - g. Effect on resource lands.
20. Plan refinements shall be prioritized for purposes of County financial revenue allocation and program planning provided by Lane County for planning services subject to fund availability in the following sequence:
  - a. Performance standards for minimum parcel size determinations within impacted

forest lands.

- b. Performance standards for minimum parcel size determinations within farm lands designated EFU.
  - c. Goal 5 conflict resolution.
  - d. Coastal Lakes.
  - e. Sand & Gravel Study.
21. Destination Resorts shall be permitted in Lane County subject to the requirements stated below. For purposes of this Policy, a Destination Resort shall be defined as a multi-use recreational facility which provides a wide range of services to visitors, including but not limited to temporary lodging, meals and related services, gift shop sales, transportation and tours, indoor and outdoor recreation, and on-site entertainment. Specific uses may vary from site to site. A Destination Resort has the following characteristics:
- a. Location on a site with a high level of amenities;
  - b. Use of a site design which is compatible with the natural and scenic attributes of the site and area, and which emphasized open space and natural one-site conditions;
  - c. Provision of visitor-oriented accommodations and recreational facilities, and
    - i. natural amenities, which serve as the primary attraction for visitors;
  - d. Reservation of not less than 75% of living units on the site for only temporary, limited-stay residential use.
  - e. Destination Resorts may be developed subject to the following:
  - f. Satisfaction of Lane County Plan Amendment requirements, including, where applicable, the fulfillment of LCDC Goal Exception requirements;
  - g. Compliance with the provisions of the Lane County "Destination Resort" zoning district.

Destination Resort designations and zoning shall be considered only on a case-by-case basis, and may be evaluated concurrently. No designations or zoning shall occur in the absence of a specific application which addresses the criteria stated above.

Prior to the designation of any property in Lane County as a "Destination Resort" under the Statewide Goal 8 guidelines and definitions as implemented in ORS 197.435-197.467; Lane County will be required to comply with ORS 197.465 Comprehensive Plan Implementing Measures.

22. Sites considered "significant" in terms of OAR 660-16-000 through 660-16-025 but requiring that the Goal #5 ESEE consequences analysis process be delayed (the "IB" option) shall be protected by Lane County through the application of interim protective measures.. Such interim protective measures shall be considered and applied at the beginning of the plan refinement process for the "significant" sites and after sufficient information is available regarding the location, quality and quantity of the "significant" sites.
23. A cluster subdivision, with the following exceptions, shall be deemed appropriate to a rural area when the criteria below are satisfied. Exceptions to this policy includes cluster subdivision developments which meet the requirements of either A or a, and C.

- a. (1) Limited to single family residences; and  
 (2) Limited to 10 single family residences; and  
 (3) All lots within the cluster subdivision are five acres in size.  
or
- b. (1) Limited to single family residences; and  
 (2) Limited to 10 single family residences; and  
 (3) Lots within the cluster subdivision average, five acres in size and are not less than two acres in size.  
and
- c. (1) No further cluster development of the parcel is allowed; and  
 (2) The parcel being developed is not adjacent to another cluster subdivision containing lots less than five acres."

Consistent with the intent and requirements of OAR 660-14-040(2) and (3), a showing must be made that the development will not represent an urban population or demand an urban level of facilities and services. For purpose of meeting this standard, affirmative findings must be made addressing the following:

- a. The level of development represented by the development cannot be reasonably accommodated through the expansion of an existing urban growth boundary or by intensification of development at an existing rural center.
- b. The long-term environmental, economic, social and energy consequences resulting from the development; considering measures designed to mitigate negative impacts, are appropriate to the rural area. Factors to be considered include whether the size of the development is appropriate to the proposed rural area and whether the air, water, energy and land resources of the surrounding area are adequate to serve and are not adversely affected by the development.
- c. The proposed development is compatible with or can be made compatible with adjacent uses considering:
  - 1) Whether the development detracts from the ability of existing cities and service districts to provide services, and
  - 2) Whether the potential for continued resource management of the land at present levels surrounding and nearby the development is assured.
- d. An appropriate level of rural facilities and services are available or can be provided in a timely and efficient manner.
- e. The approval of the development is coordinated with affected jurisdictions and is consistent with the comprehensive plans of the affected jurisdictions and the Lane County Rural Comprehensive Plan.

The development will not:

- a. Generate traffic which will exceed the carrying capacity, as defined by Lane Code Chapter 15, of adjacent public and private roads.

- b. Necessitate a higher level of police service than presently provided to the surrounding area.
- c. Occur within one mile of an existing urban growth boundary and/or share any urban service provided within a neighboring urban growth boundary.
- d. On the whole require an urban level of service.

Reasonable assurances must be provided that the cluster shall not generate students in excess of the capacity of affected facilities within the appropriate school district.

The development represents a concentration of people who generally reside and work in the area.

Deed restrictions which ensure that community water and sewer systems shall remain viable and under private ownership shall be required. Cluster subdivisions which propose to form or use a public water or sewer system shall not be allowed.

Cluster subdivisions shall be limited to residential use. No commercial or industrial uses will be allowed within existing or proposed cluster subdivisions.

All cluster subdivisions must be within an existing Rural Fire Protection District.

No other identifiable substantial increase of a public service shall be necessitated by the approval of a cluster subdivision.

- 24. Outside of designated 'Community' areas, all changes to Plan Diagram designations shall be evaluated through the County's Plan Amendment procedure (LC 16.400) and approval based upon fulfillment of criteria therein.
- 25. Each of the land use designations applied to the Plan Diagram shall be implemented by one or more zoning districts, as follows:

<b><u>Plan Designation</u></b>	<b><u>Zone Classification</u></b>	<b><u>Abbrev.</u></b>
Forest Land	Nonimpacted Forest Lands	F-1, RCP
Forest Land	Impacted Forest Lands	F-2, RCP
Agricultural Land	Exclusive Farm Use	E-RCP
Natural Resource	Natural Resource	NR-RCP
Marginal Land	Marginal Lands	ML-RCP
Park and Recreation	Park and Recreation	PR-RCP
Rural Park mid Recreation	Rural Park and Recreation	RPR, RCP

Notwithstanding the plan diagram, areas designated by the plan diagram as Park and Recreation, that are located outside of communities and inside developed and committed exception areas, are now designated as Rural Park and Recreation.

Natural Resource	Quarry & Mining Operations Combining	/QM-RCP
Natural Resource	Sand, Gravel and Rock Products	SO-RCP
"Natural Resource	Sand, Gravel & Rock Prod. Processing	/CP-RC~
Public Facility, Community	Public Facility	PF-RCP
Rural Public Facility	Rural Public Facility	RPF, RCP

Notwithstanding the plan diagram, areas designated by the plan diagram as Public Facility, that are located outside of communities and inside developed and committed exception areas, are now designated as Rural Public Facility.

Commercial, Community	Limited Commercial	C-1, RCP
Commercial, Community	Neighborhood Commercial	C-2, RCP
Commercial, Community	Commercial	C-3, RCP
Rural Commercial"	Rural Commercial	RC, RCP

Notwithstanding the plan diagram, areas designated by the plan diagram as Commercial, that are located outside of communities and inside developed and committed exception areas, are now designated as Rural Commercial.

Industrial, Community	Limited Commercial	M-1, RCP
Industrial, Community	Light Commercial	M-2, RCP
Industrial, Community	Heavy Industrial	M-3, RCP
Rural Industrial	Rural Industrial	RI, RCP

Notwithstanding the plan diagram, areas designated by the plan diagram as Industrial, that are located outside of communities and inside developed and committed exception areas, are now designated as Rural Industrial.

Rural, Community	Suburban Residential	RA, RCP
Rural, Community	Garden Apartment Residential	RG, RCP
Rural, Community	Rural Residential	RR, RCP
Rural Residential	Rural Residential	RR, RCP

Notwithstanding the plan diagram, areas designated by the plan diagram as Rural, that are located outside of communities and inside developed and committed exception areas, are

now designated as Rural Residential.

Destination Resort	Destination Resort	DR, RCP
Historic Structure/Site	Historic Struc. Or Sites Combining	/H-RCP
Natural Estuary	Natural Estuary	/NE-RCP
Conservation Estuary	Conservation Estuary	/CE-RCP
Development Estuary	Development Estuary	/DE-RCP
Sign. Natural Shorelands	Significant Nat. Shorelands Comb	
Prime Wildlife	Prime Wildlife Shorelands Comb	
Natural Resources Consv.	Natural Resources Conservation Comb	
Residential Development	Res. Devel. Shorelands Combining	
Shorelands Mixed	Shorelands Mixed Devel. Combining	
Dredge Material/Mitigation	Dredge Mat./Mitigation Site Comb	
Beaches & Dunes	Beaches and Dunes Combining	
Airport	Commercial Airport	
Airport	Airport safety	
Airport	Airport operations	
Nonresource	Rural Residential	
Public Facility	Inmate work camp	

\*NOTE: The "Community" Plan Designation is implemented by various zoning districts as indicated, zones which also implement specific Plan designations other than "Community". A suffix "/C" shall be used in combination with these zoning abbreviations to denote the zoning inside unincorporated community plans adopted to comply with OAR 660 Division 22, the UC Rule: RR, RC, RI, RPF, and RPR.

26. Exceptions to resource goals shall be required for transmission line right-of-ways when in excess of fifty (50) feet.

**Conformity Determinations.** Lane County will annually initiate and process applications to correct identified plan or zoning designations in the RCP Official Plan and Zoning Plots resulting from the Official Plan or Zoning Plots not recognizing lawfully existing (in terms of the zoning) uses or from inconsistencies between the Official Plan and Zoning Plots. Changes to correct nonconformities shall comply with the procedures and requirements of Lane Code Chapter 12 (Comprehensive Plan), Chapter 14 (Application Review and Appeal Procedures), and Chapter 16 (Land Use & Development Code), except as provided for in 27 c. and d., below. .

Circumstances qualifying for consideration by the Board of Commissioners under the Conformity Determinations Policy may include one or more of the following:

- i. Lawful, structural development existing prior to September 12, 1984 and use of the structure(s) at the time qualified as an allowable use in a developed & committed zone designation other than that designated for the land on an Official Plan or Zoning Plot.
- ii. Inappropriate Nonimpacted Forest Land (F-1, RCP~ zoning designation, where criteria of RCP Forest Land Policy 15 indicate that Impacted Forest Land (F-2, RCP) zoning designation is more suitable.
- iii. A property was actively managed primarily as either an agricultural or forestry

- operation in 1984 and since, and a resource designation other than the primary , use was adopted on an Official Plan or Zoning Plot in 1984.
- iv. Correction of a scrivener error on an adopted Official Plan or Zoning Plot.
  - v. Correction of an incompatible split-zoning of a legal lot resulting from a survey boundary line error that was discovered after September 12, 1984.
  - vi. Compliance by a public jurisdiction or agency with a deed restriction on public land.
  - vii. Correction of an inconsistency between the text of an order or ordinance adopted by the Board of Commissioners and an Official Plan or Zoning diagram.
  - viii. A circumstance other than as listed in Policy 27. a. i.-vii. above, which the Planning Commission elects to forward a favorable recommendation for consideration by the Board of Commissioners.
- b. Conformity Determinations in the Official Plan and Zoning Plots shall not include circumstances requiring that a committed exception be taken in situations involving the designation of Marginal or Nonresource Lands.
  - c. By September 30th of each year, property owners who believe that they have errors or omissions in the official plan or zoning of their property and who want those designations corrected shall submit to the Planning Director a completed Conformity Determination Amendment application. Within 45 days of receipt of the application, the Director shall review the application for completeness and provide the applicant with a written notice that explains why the application was accepted or not accepted. The Director shall not accept incomplete applications or applications for changes that do not qualify pursuant to one or more of the criteria of Policy 27. a. i-viii above; and
  - d. By March 31st of each year, Lane County shall conduct the first public hearings with the Lane County Planning Commission for all pending Conformity Determination Amendment applications accepted within the deadline specified in Policy 27 c., above.
  - e. To partly defray the expense in processing the errors or omission application, a fee shall be charged the applicant. The fee shall be established by order of the Board of County Commissioners.

### GOAL THREE: AGRICULTURAL LANDS

1. Encourage agricultural activities by preserving and maintaining agricultural lands through the use of an exclusive agricultural zone which is consistent with ORS 215.
2. In Agricultural Rent zones 1 and 2 preference will be given to Goal 3. In Rent Zone 3, unless commercial agricultural enterprises exist, preference will be given to Goal 4.
3. Reserve the use of the best agricultural soils exclusively for agricultural purposes.
4. To insure that zoning districts applied to agricultural lands encourage valid agricultural practices in a realistic manner; emphasis shall be placed on minimum parcel sizes which are based upon a countywide inventory and which are adequate for the continuation of commercial agriculture. As minimum parcel sizes decrease to accommodate more specialized commercial agricultural activities, the burden of proof upon the applicant shall increase in order to substantiate the proposed agricultural activity and restrictions shall increase in order to obtain a residence on the commercial farm unit. Deviation from minimum parcel sizes of the Exclusive Farm Use land for the creation of a parcel not smaller than 20 acres may be allowed when at least 19 acres of the parcel being created are currently managed or planned to be managed by a farm management plan for a farm operation consisting of one or more of the following: berries, grapes or horticultural specialties. A temporary mobile home which is accessory to the farm management may be conditionally located upon the farm parcel for a reasonable length of time to allow for substantial implementation of the farm management plan. Upon evidence that the farm management plan has been substantially implemented, the mobile home may be allowed on a permanent basis or may be converted to a permanent dwelling.
5. Use planning and implementation techniques that reflect appropriate uses and treatment for each type of land.
6. Encourage irrigation, drainage and flood control projects that benefit agricultural use with minimum environmental degradation in accordance with existing state and federal regulations.
7. Some agricultural land in the County is not suitable or available for agricultural use by nature of being built upon, committed to or needed for nonagricultural uses by using applicable comprehensive plan policies and the exceptions process of LCDC Goal 2, Part II.
8. Provide maximum protection to agricultural activities by minimizing activities, particularly residential, that conflict with such use. Whenever possible planning goals, policies and regulations should be interpreted in favor of agricultural activities.
9. Actively explore better methods of identifying agricultural lands than those currently used. Such methods should accurately reflect the productive capacity of the land taking into account fertility, suitability for management, climatic conditions, availability of water, land use patterns, and accepted farm practices.



10. Such minimum lot sizes or land division criteria as are used in exclusive farm use zones shall be appropriate for the continuation of the existing commercial agricultural enterprise in the region. The commercial agricultural, minimum field or parcel sizes and corresponding farming regions identified in Addendum to Working Paper: Agricultural Lands shall be used to determine the appropriate division requirements for lands zoned Exclusive Farm Use (E).
11. Conversion of rural agricultural land to unrealizable land shall follow the process and criteria set forth in LCDC Goal 3.
12. Regard nonagricultural uses within or adjacent to agricultural lands as being subject to the normal and accepted agricultural practices of that locality.
13. No County policy shall be construed to exclude permitted and specially permitted non-farm uses, as defined in ORS Chapter 215.213, from the EFU zones. Implementing ordinances shall provide for such uses, consistent with the statutory requirements. Special permits for commercial uses in conjunction with farm use shall have the same effect as making the use an outright permitted use on the affected parcel.
14. Land may be designated as marginal land if it complies with the following criteria:
  - a. The requirements of ORS 197.247, and
  - b. Lane County General Plan Policies, Goal 5, Flora and Fauna, policies numbered 11 and 12.
15. Lane County recognizes ORS 215.253 shall apply on land-zoned EFU.
16. Recreational activities in the Park and Recreation (PR/RCP) Zone District within agricultural areas that are outside lands for which a built or committed exception to a Statewide Planning Goal has been taken shall be limited to those uses consistent with Statewide Planning Goals 3 and 4.

## GOAL 4: FOREST LANDS

1. Conserve forest lands by maintaining the forest land base and protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

Forest land shall include lands which are suitable for commercial forest uses including adjacent or nearby lands which are necessary to permit forest operations or practices and other forested lands that maintain soil, air, water, and fish and wildlife resources.

2. Forest lands will be segregated into two categories, Non-impacted and Impacted and these categories shall be defined and mapped by the general characteristics specified in the Non-Impacted and Impacted Forest Land Zones General Characteristics.
3. Forest lands that satisfy the requirements of ORS 197.247 may designate as Marginal Lands and such designations shall also made in accordance with other Plan policies. Uses and land divisions allowed on Marginal Lands and shall be those allowed by ORS 197.247.
4. Forest operations, practices and auxiliary uses shall be allowed on forest lands subject only to such regulation of uses as are found in the Oregon Forest Practices Act, ORS 527.722.
5. Prohibit residences on Non-Impacted Forest Lands except for the maintenance, repair or replacement of existing residences.
6. Dwellings shall be allowed in the Impacted Forest Land (F-2/RCP) Zone District as provided in OAR 660-06.
7. The minimum land division size for the Non-impacted Forest Lands (F-1/RCP) Zone shall be 80 acres pursuant to OAR 660-06-026(2)(a) except parcels smaller than 80 acres may be authorized for certain uses pursuant to OAR 660-06\_026(3) and (4). Area requirements for Impacted Forest Land must be adequate to conserve forest land for impacted farm and forest uses and be consistent with the following criteria:

(a) Except as provided in subsection (2) below, for the creation of a wood lot for the purpose of the propagation or harvesting of a forest product, the minimum area shall be at least 20 acres, and that which is consistent with the Douglas fir cubic foot site indexes and minimum area computations promulgated by the Oregon Department of Forestry and specified below, and additional area to accommodate a home site, access and fire breaks, and a logical parcel layout and use of the parcel. There shall be presented for each application sufficient factual documentation to verify that each proposed tract meets the above requirements.

<u>Cubic Foot Site Class</u>	<u>Potential Yield cu.ft./acre/yr</u>	<u>Acreage Minimum</u>
6	20-49 cf/ac	64
5	40-84 cf/ac	43
4	85-119 cf/ac	34
3	120-164 cf/ac	24
2	165-224 cf/ac	17

(b) To substantially limit any adverse impacts upon commercial forest management which might result from land divisions and subsequent residential development (accessory and necessary to commercial forest management) a minimum area of 80 acres shall be required for the division of large forest tracts:

- (i) Zoned F-2
- (ii) Containing at least 160 acres
- (iii) For the creation of lots or parcels adjacent to F-1, RCP zoned lands.

(c) Deviation from the standard specified in subsections 7(a) and 7(b) above, for a 40 acre parcel on impacted forest land to be used for farm land may be allowed.

(d) Deviation from the standard specified in subsections 7(a) and 7(b) above, of the impacted forest land for the creation of a parcel not smaller than 20 acres may be allowed when at least 19 acres of the parcel being created are currently managed or planned to be managed by a farm management plan for a farm operation consisting of one or more of the following: berries, grapes, or horticultural specialties.

(e) Lot line adjustments consistent with the definition of "divide" in LC 16.090 are permissible.

(f) Parcels smaller than specified in subsections (1)-(4) above may be authorized for certain uses pursuant to OAR 660-06-026(3) and (4).

8. New structures must comply with the Siting and Fire Safety Standards of OAR 660-06-029 and 660-06-035.
9. Recreational activities in the Park and Recreation (PR/RCP) Zone District within resource areas that are outside lands for which a built or committed exception to a Statewide Planning Goal has been taken shall be limited to those uses consistent with Statewide Planning Goals 3 and 4.
10. The effects of a projected shortfall in timber supplies within the near future are of considerable concern to Lane County. The County supports efforts by state and federal agencies in developing plans that will address this situation. The County intends to be an active, committed participant in such plan development.
11. Encourage the consolidation of forest land ownership in order to form larger more viable forest resource units.

12. Encourage the conversion of under-productive forest lands through silvicultural practices and reforestation efforts.
13. Encourage the development of assistance programs, tax laws, educational programs and research that will assist small woodland owners with the management of their forest land.
14. Lane County recognizes that the Oregon Forest Practices Act shall be the only mechanism regulating the growing and harvesting of forest tree species on commercial forest lands unless Goal #5 resource sites have been recognized and identified as being more important through an analysis of ESEE consequences and conflict resolution as per Goal #5. No other findings, assumptions, goal policy or other planning regulation shall be construed as additional regulation of forest management activities.
15. Minimum parcel sizes and land division standards for Impacted Forest Lands should be the subject of additional study in future plan revisions and updates.
16. Lands designated within the Rural Comprehensive Plan as forest land shall be zoned Non-Impacted Forest Lands (F-1, RCP) or Impacted Forest Lands (F-2, RCP). A decision to apply one of the above zones or both of the above zones in a split zone fashion shall be based upon:
  - a. A conclusion that characteristics of the land correspond more closely to the characteristics of the proposed zoning than the characteristics of the other forest zone. The zoning characteristics referred to are specified below in subsections b and c. This conclusion shall be supported by a statement of reasons explaining why the facts support the conclusion.
  - b. Non-impacted Forest Land Zone (F-1,RCP) Characteristics:
    - (1) Predominantly ownerships not developed by residences or non-forest uses.
    - (2) Predominantly contiguous, ownerships of 80 acres or larger in size.
    - (3) Predominantly ownerships contiguous, to other lands utilized for commercial forest or commercial farm uses.
    - (4) Accessed by arterial roads or roads intended primarily for forest management.
    - (5) Primarily under commercial forest management.
  - c. Impacted Forest Land Zone (F-2, RCP) Characteristics
    - (1) Predominantly ownerships developed by residences or non-forest uses
    - (2) Predominantly ownerships 80 acres or less in size.
    - (3) Ownerships generally contiguous to tracts containing less than 80 acres and residences and/or adjacent to developed or committed areas for which an exception has been taken in the Rural Comprehensive Plan.
    - (4) Provided with a level of public facilities and services, and roads, intended primarily for direct services to rural residences.

## **GOAL FIVE: OPEN SPACES, SCENIC AND HISTORIC AREAS AND NATURAL RESOURCES**

### **Historical Resources**

1. A group known as the "Lane County Historic Resource Committee" is to be established and given permanent status by the Board of County Commissioners. The Committee shall represent a wide array of historical interests and the interests of property owners. Its tasks shall include: general concern with historical matters in Lane County; to monitor conditions affecting such resources; to devise criteria and methods for the selection of newly-designated historical resources; to advise the staff and officials of the County on proposed new historical sites and structures; to oversee the administration of the Historic Structures or Sites ordinance; and other related tasks and duties. Outputs of the Commissions and subsequently to the Board of County Commissioners.
2. The County shall administer the "Historic Structures or Sites" section of Lane Code Chapter 10 as a means of protecting historic resources. These regulations shall be applied to all sites contained in list of "Historic Structures or Sites" referenced by the the ordinance, which are sites deemed significant by the County, and therefore meriting protection from conflicting uses by a limitation of such conflicting uses.
3. The Goal 5 conflict resolution process (OAR 660-16-000 through 660-16-025) which has been applied in the selection of historical sites and structures contained in the General Plan and implemented through the "Historic Structures or Sites" ordinance, shall continue to be applied, where appropriate, to historic sites and places prior to regulation of them.
4. The County shall seek to enlist voluntary compliance with individual landowners in the addition of their property as historical sites, and landowners shall be notified of Public Hearings, including information about inclusion as a Historical Site.
5. The County shall encourage its own agencies, and communities within the County, to emphasize their historical, geographic and other unique qualities.
6. The County shall review proposals for development or changes in land use for possible impacts with designated historical sites. When proposed development or land use changes will cause harm or degradation of a designated site, such effects shall be mitigated in a satisfactory manner.
7. The County shall continually develop and refine, through review, and update, its inventory of historical sites and resources. A long-term objective shall be in the inclusion of historical sites in the County's geo-data system.
8. The County shall take advantage, where practical, of state and federal programs to assist in the identification and protection of historical resources, including the use of financial assistance from these programs.

9. The County shall work with concerned local, state, and federal agencies to coordinate efforts to identify and protect historical resources.
10. Archaeological sites identified in the Historical Resources Working Paper and Addendum to the Historic Resources Working Paper shall be considered significant in terms of OAR 660-16-000/025 and shall be placed in a "1B" category and evaluated per "1B" requirements within two years of the date of plan adoption. These significant sites shall be incorporated into the Lane County General Plan Policies document as Historic Resources Exhibit A.

### **Mineral and Aggregate Resources**

1. Known mineral resource sites within the County, which are limited to those identified in Appendix "D" of the "Mineral and Aggregate Resources Working Paper", shall be conserved for both present and future uses through the application of Plan designations and compatible land use regulation measures. Such designation and regulation is to take place after the requirements of the Goal 5 rule (OAR 660-16-000 through 660-16-025), which is addressed in Appendix "J" of the "Mineral and Aggregate Resources Working Paper".
2. Exploration for mineral resources (in contrast to actual mining) shall be a permitted activity in the rural portions of the County. Areas designated primarily for residential purposes are to be excluded from this policy as are areas that, having undergone analysis in accordance with OAR 660-16-000, are designated as having some unique natural, historical or cultural value. Exploratory drilling for gas, oil, or other hydrocarbons is not within the scope of this policy.
3. Mining operations are regulated by state and federal government agencies. County regulations shall supplement these actions only as necessary to ensure compatibility in the area, or to protect other resources.
4. Conserve and manage land, soil, and mineral resources by respecting their physical limitations and environmental assets.
5. Update, in cooperation with local aggregate operations, federal, state and local agencies, past sand and gravel inventories to ensure supply/demand information is current.
6. Protect aggregate deposits from encroachment of incompatible uses and ensure that aggregate material in close proximity to its point of use will be available when needed.
7. Mineral and aggregate resource sites, which, on the basis of substantial evidence, are considered for inclusion in Appendix "D" of the "Mineral and Aggregate Resources Working Paper" pursuant to the application of the Goal 5 rule (OAR 660-16-000/025), shall also show evidence of substantial resource utility over time. Any site evaluation shall also address possible impacts on agricultural lands, forest lands and residential development (existing or planned). For sites within the Willamette Greenway or near

Goal 5 inventoried resources, notification of the potential conflict shall be sent to the appropriate body (e.g., Pioneer Museum, Oregon Department of Transportation, Oregon Department of Fish and Wildlife, etc.).

8. Encourage farm and forestry use of aggregate land prior to extraction; minimize negative environmental impacts during extraction; require reclamation after extraction which is compatible with adjacent uses.
9. Lane County shall apply the appropriate district (SG, SG/CP, /QM) to the sites listed in Appendix "J" of the Mineral and Aggregate Working Paper. Those sites with potential conflicts shall be placed in the SG/CP or QM/SR Districts.
10. Newly discovered or known or suspected sites, for which there is inadequate substantive information to allow a determination of quality, quantity, significance and conflicts with other uses, are identified in Appendix "F" of the "Mineral and Aggregate Resources Working Paper." All sites listed in Appendix "F", including sites used pursuant to Special Use Permits issued after the effective date of this Policy, shall be examined pursuant to the Goal 5 rule (OAR 660-16-000 through 660-16-025), for inclusion in the County's resource inventory no later than the time of completion of the next Periodic Review of the Lane County Rural Comprehensive Plan. Until then, the alternative procedures of Special Use Permits may be used to authorize mineral and aggregate extraction and accessory activities on a short-term, limited or intermittent basis as provided by Lane Code Chapter 16. In addition to meeting the criteria specified in Lane Code Chapter 16, mineral and aggregate extraction and accessory uses shall be substantially compatible with the livability of existing development of abutting property and the surrounding vicinity, and the duration of the permit shall not extend beyond the next Periodic Review unless found appropriate during Periodic Review. Conditions enhancing compatibility may be adopted as required.
11. Mineral and aggregate extraction activities within the Willamette Greenway shall comply with the requirements of Statewide Planning Goal 15 (Willamette Greenway). Significant fish and wildlife habitat areas shall be protected in accordance with sections C.3.d and C.3.i of the Goal. The provisions of the Lane County Willamette Greenway Plan and implementing regulations shall be used to this purpose.

### **Flora and Fauna**

1. Implement construction, development and other land use activities which significantly alter natural systems only after evaluation of effects on wildlife habitats and natural areas.
2. Recognize existing federal and state programs protecting threatened or endangered fish and wildlife species.
3. Through the use of County regulations including zoning, seek to minimize the adverse impacts of land use changes on sensitive species (those susceptible to significant population declines resulting from habitat modification).

4. Public agencies are encouraged to work with landowners to conserve wildlife habitats.
5. Lane County shall investigate fee acquisitions, easements, cluster developments, preferential assessment, development right acquisition and similar techniques to protect Goal 5 resources.
6. Riparian vegetation along Class I streams in the County is recognized as being of high value for many purposes, notably wildlife habitat and stream bank stabilization. Riparian lands shall be defined as the lands within 100 feet of ordinary high water on Class I streams, and shall be considered "Significant" "1C" areas (in the language of OAR 660-16-000/025); "3C" protection of the riparian resource shall be achieved through development setbacks and vegetation management regulations within the riparian strip. The setback distance will vary from 100 feet from ordinary high water in rural resource zones to 50 feet from ordinary high water in developed and committed areas; provided a means is made available for review and modification of these requirements where it can be demonstrated that an unduly restrictive burden would be placed on the property owner or that riparian vegetation does actually extend all the way into the 50 foot or 100 foot setback to the location of the proposed improvements.

Such review and modification shall be spelled out in the zoning districts affected, and shall involve consultation with officials of the Oregon Department of Fish and Wildlife.

7. Because of incomplete County coverage by, and interpretation of, the National Wetlands Inventory, wetland resources are to be considered "significant" in terms of OAR 660-16-000/025 and placed in "1B" and "1C" categories. Major wetlands designated "1C" resources shall be protected per the "3C" option through a combination of existing County Coastal and Greenway zoning regulations, and federal/state ownership; where these do not occur, an appropriate wetlands zoning district shall be developed and applied. Other wetlands from the National Wetlands Inventory shall be evaluated per "1B" requirements within two years of the date of Plan adoption, and decisions made on the protection or use of the resource. The County shall consider enlarging the list of protected wetlands per Goal 5 requirements if it is clearly demonstrated that an unprotected significant wetland(s) is likely to be significantly impacted by a land use action over which the County has jurisdiction. (Modification in process)
8. Sensitive Fish and Waterfowl Areas as identified in the 1983 Revision the Flora and Fauna Working Paper, shall be considered "significant" "1C" resources per OAR 660-16-000/025, and protected per "3C" requirements through protection of riparian and wetland resources as described in the above Policy statement.
9. Residential building permits issued within Major or Peripheral Big Game Range, as identified in the 1982 Lane County Working Paper on Flora and Fauna, and as revised



and updated in 1983, shall include an indication of that Range and a note that compatibility problems, such as damage to vegetation, may occur.

10. Lands with an acknowledged exception as "built upon or committed" will be treated as Impacted Big Game Range, as identified in the 1982 Lane County Working Paper on Flora and Fauna and as revised and updated in 1983.
11. Oregon Department of Fish and Wildlife recommendations on overall residential density for protection of big game shall be used to determine the allowable number of residential units within regions of the County. Any density above that limit shall be considered to conflict with Goal 5 and will be allowed only after resolution in accordance with OAR 660-16-000. The County shall work with Oregon Department of Fish and Wildlife officials to prevent conflicts between development and Big Game Range through land use regulation in resource areas, siting requirements and similar activities which are already a part of the County's rural resource zoning program.
12. If uses are identified (which were not previously identified in the Plan) which would conflict with a Goal 5 resource, an evaluation of the economic, social, environmental and energy consequences shall be used to determine the level of protection necessary for the resource. The procedure outlined in OAR 660-16-000 will be followed.
13. In its program of protecting "1C" resources, the County shall make maximum practical use of existing land use regulations (e.g., Willamette Greenway Permit, Coastal Resources Zoning overlays, rural forest and agricultural resource zones) to achieve such protection. Duplication of existing standards shall be avoided wherever practicable, provided County-determined Goal 5 and OAR 660-16-000/025 objectives are met.
14. A group known as the "Lane County Flora and Fauna Committee" is to be established and given permanent status by the Board of County Commissioners. The committee shall represent a wide array of environmental interests and the interests of property owners. Its tasks shall include: evaluation of LCDC Goal 5 concerns and resources, development of information to help the County comply with OAR 660-16-000/025 ("Goal 5 Rule"), research and provision of resource site data to the County, and response to work in progress. Outputs of the Committee shall be presented to the Planning Commissions and subsequently to the Board of County Commissioners.
15. Rare and endangered vascular plants, identified in a 1/8/84 list prepared by the Native Plant Society of Oregon shall be considered significant in terms of OAR 660-16-000/025 and shall be placed in a "1B" category and evaluated per "1B" requirements within two years of the date of plan adoption. This list of rare and endangered vascular plants is included into the Lane County General Plan Policies document as Flora and Fauna Exhibit B.
16. Lane County recognizes that Douglas fir old growth stands provide valuable and unique wildlife habitat and will encourage the Forest Service and Bureau of Land Management to maintain acreage in this age class sufficient to ensure viable populations of dependent wildlife species.

17. The Cooperative Agreement between Oregon State Board and Forestry and Oregon State Fish and Wildlife Commission shall constitute Lane County's means of protection sensitive bird habitat site sites from conflicts which may result from forest practices as regulated by the Forest Practices Act. Within two years of the date of acknowledgment of the Rural Comprehensive Plan, Lane County shall evaluate the effectiveness of the use of this agreement in providing actual protection to sensitive bird habitat sites and, if necessary, shall consider the adoption of more effective means of protecting sensitive bird habitat sites. This agreement is incorporated into the Lane County General Plan Policies as Flora and Fauna Exhibit 'A'.
18. Owners of property designated as a sensitive bird habitat and as identified in LM 11.400 shall be encouraged to develop a management plan in conjunction with the Oregon Department of Fish and Wildlife prior to beginning any development which may adversely affect the habitat. Such management plans shall consider nesting trees, perch trees, critical nesting period, roosting sites, flight pathways and buffer zones, and shall demonstrate how the proposed development will not adversely affect the sensitive bird habitat site. The policy shall not apply to forest practices covered by the above Flora and Fauna Policy 17.

#### **Open Space and Scenic Areas**

1. Lane County has determined that all resource lands in the County are also open space lands. Resource related activities shall predominate on these lands. Where proposals are developed land uses are made consistent with the Comprehensive Plan and Statewide Goals, development standards shall be applied which minimize loss of open space.
2. Lane County will recommend that no new wilderness areas be designated in the County without a complete analysis of the revenue and employment impacts to Lane County. Where designations are made, negative employment and revenue impacts should be mitigated by increasing allowable timber harvest on other public lands. Lane County will cooperate to the extent of its jurisdictional authority in the maintenance of existing Wilderness Areas located within Lane County. Should any of these Wilderness Areas ever revert to private ownership; the County will apply the Goal 5 evaluation process as required by Goal 5.
3. The 1983 Revision to the 1981 Recreational Resources Working Paper identifies six major areas of outstanding scenic value in Lane County. These areas are to be considered '3C' resources in the terms of OAR 660-16-000/025 ('Coastal Strip', 'McKenzie Valley', Willamette Highway/Salt Creek Corridor' and 'Coburg Ridge'), '3B' resources ('Willamette Greenway') and '2A' resources ('ODOT Scenic Areas'). Conflicting uses in '3C' areas shall be regulated by the management activities of the Siuslaw and Willamette National Forests, the Oregon Forest Practices Act and the County's rural resource and Coastal zones (on private land). Scenic resources beyond those referenced shall be considered '1B' resources until the County can initiate a program to identify areas of outstanding scenic value.

Initiate a program to identify areas of outstanding scenic value, identify and resolve conflicts after consideration of social, economic, energy and environmental consequences and protect sites for which conflict resolution indicates protection is desirable.

This program will be initiated prior to the next scheduled Plan update (five years from adoption of revised Plan). The County is encouraged to investigate and utilize fee acquisition, easements, cluster developments, preferential assessment, development rights acquisition and similar techniques to implement this policy.

4. The County shall recognize and acknowledge existing and potential recreational trails designated by the Oregon Parks Outdoor Recreation Plan, shall cooperate with the Oregon Department of Transportation in the identification of specific routes for potential trails, and in the completion of applicable steps of OAR 660-16-000/025. Existing developed trails shall be displayed on the County's planning documents.
5. The County shall cooperate with appropriate state and federal agencies in the selection of wild and scenic rivers, and will cooperate with these agencies in the completion of applicable steps of OAR 660-16-000/025 in making such selections.

### **Energy**

1. Lane County shall identify energy resource areas within the County and protect such areas through the use of existing ordinances and regulations. Such regulations shall address hydroelectric, geothermal, and wind power sites.
2. Lane County shall encourage the exploration and development by other agencies of renewable energy resources such as geothermal, wind, biomass, hydroelectric and solar, and shall monitor such development to ensure that the development does not cause adverse effects within the County.
3. Lane County will use the work of the L-COG Committee on Energy, and its report, "Lane County Electric Energy Planning Program, Final Report (1983)" as a source of resource identification and site protection measures. This will supplement the County's own measure expressed in Policy and Zoning Statements.
4. The County shall protect the sites of hydroelectric resources through conditional or special use provisions of its resource zones. Sites for which a license has been applied for with federal and state authorities, or for which water impoundments of more than 100 acre-feet are proposed, or which will generate power in excess of 75 KW, shall be shown on the Plan as special designation, an Exception to applicable LCDC Goals taken if necessary, and a special zoning district applied. At that time, the Goal 5 rule conflict analysis shall also be carried out.
5. For additional energy policies see Goal 3.

### **Water Resources**

1. State policy normally promotes multiple uses of surface waters throughout Lane County. Under such policy, use conflicts can and do occur. As the first step in addressing this problem, the County urges the Oregon Water Policy Review Board and the Department of Environmental Quality to update the existing water basin plans and establish priorities among the various beneficial uses for specific water areas. The economic, social, environmental and energy consequences of each use should be considered in establishing priorities and resolving any identified conflicts. Lane County will cooperate to the maximum extent practicable in such a program.
2. The County supports congressional reauthorization of upper Willamette basin reservoirs, to reflect actual use priorities. To the extent practicable, the County will cooperate with the Corps of Engineers in resolving existing use conflicts and accommodating the needs of competing uses.
3. Adequacy of water supply, particularly those relying on groundwater sources, shall be a major concern in reviewing major land use changes. For the purpose of applying this policy, major land use change shall be any application reviewed by the Hearings Official or the Planning Commission.
4. The primary means of evaluating groundwater resources for land use planning purposes shall be through the land division review process. The Little Butte Volcanics, Eugene Formation, Fisher Formation, Spencer Formation, Flourney Formation, Alluvium and Older Dunes geological units shall be designated as quality and/or quantity limited aquifers. As such the provisions of Chapter 13, Lane Code (Land Divisions) regarding areas so designated will apply.
5. Land use designations in the Comprehensive Plan and implementing zoning shall be commensurate with groundwater aquifer capacities.

FLORA & FAUNA EXHIBIT "A"

COOPERATIVE AGREEMENT

BETWEEN

OREGON STATE BOARD OF FORESTRY

and

OREGON STATE FISH AND WILDLIFE COMMISSION

This agreement made and entered into upon the dates hereinafter indicated, by and between the Oregon State Board of Forestry, hereinafter referred to as OSBF, and the Oregon State Fish and Wildlife Commission, hereinafter referred to as OF&WC.

PREAMBLE

Whereas, the policy of OSBF as required by ORS 527.630 is to encourage forest practices that maintain and enhance the multiple forest benefits and resources while recognizing various forest conditions; and,

Whereas, the policy of OF&WC as required by ORS 496.012 is to maintain all species of wildlife at optimum levels and prevent the serious depletion of any indigenous species, and

Whereas, the various counties, under the provisions of ORS 197.175, are required to provide for protection of certain resources under Goal 5 and 17 of the Statewide Planning Goals and Guidelines, and may use the Oregon Forest Practices Act to implement the Goals; and

Whereas, Goal 5 identifies the need to protect and manage critical wildlife habitat and streamside wildlife habitat; and

Whereas, Goal 17 requires protection of major marshes, critical wildlife habitat, and riparian habitat in coastal shoreland areas:

Now, therefore, it is hereby understood and agreed by and between OSBF and OF&WC to implement the following process:

1. The OF&WC will furnish to the OSBF a current list of critical wildlife habitat sites (which will include major marshes in the coastal shoreland area) situated on lands subject to the provisions of the Forest Practices Act. The list will be updated as needed considering new information including those sites inventoried in local comprehensive plans.

2. The OSBF will recognize the list furnished by OF&WC as critical wildlife habitat to be protected through administration of the Forest Practices Act.
3. The OF&WC will provide OSBF with the current policies and standards used by OF&WC to identify the quality, quantity, and location of critical habitat sites.
4. The OSBF will classify any operation near or within a listed critical wildlife habitat site as a high priority operation requiring a joint inspection between OSBF and OF&WC prior to commencement of the operation on the sites.
5. The OSBF, OF&WC, and landowner/representative will jointly inspect the site to determine if the planned use of the site is a conflict. If no conflict is identified, the operation is to be limited only by current Forest Practice Rules.
6. If the planned use of the site is identified as a conflict between the operation and the wildlife habitat, OSBF will require a plan to resolve the conflict. The plan will determine reasonable measures sufficient to resolve the conflict on the site by limiting conflicting practices. Reasonable measures may include limiting conflicting forest operations during the time of the year wildlife need the site, limiting operations to meet other wildlife needs or excluding forest operations on the site.
7. The OSBF and OF&WC will cooperate in the development of standards and procedures for streamside protection and management including riparian habitat within coastal shore land areas, to be applied in administration of the Forest Practices Act on commercial operation. The OSBF will apply these procedures during administration and enforcement of the Forest Practices Act, consistent with the Forest Practices Act and Forest Practices Rules.
8. This Cooperative Agreement shall become effective upon execution of the parties hereto and shall be operative until terminated by either party by written notice to the other party and to DLCD and those local jurisdictions relying on the agreement for compliance to Goal 5. The notice to terminate shall be submitted at least thirty (30) days prior to the termination date.

## HISTORIC RESOURCES EXHIBIT "A"

Agriculture	
Century Farms	F
Grange Halls	G
Old Barns	B
Mining	M
Logging	L
Marine Industry	W
Historical Sites	H
Natural Features	
Natural Landmarks	N
Hot Springs	S

### LISTING-HISTORIC RESOURCE SITES

#### ARCHAEOLOGICAL SITES MAP SYMBOL      A

Site numbers and Unit names are provided by sources listed in Historic Preservation Preliminary Survey Notebook I, located at the Lane County Planning Division Office.

Map Symbol #	Location (Township, Range & Section)	Site # or Name	Quad Sheet
1	16-2-25	Mohawk Unit AR090 33	Marcola
2	16-3-14	Mohawk Unit AR090 34	Eugene
3	16-3-27	35 LA 216-Beebe Site	Eugene
4	16-3-33	35 LA 44-Hurd Site	Eugene
5	16-4-13	35LA 71 (East of River)	Eugene
6	16-4-13	35 LA 72 (970' East of River)	Eugene
7	16-5-27	35 LA 41-42-Benjamine Site	Elmira
8	16-5-28	35 LA 80 (Near Long Tom River - 2 mi. N. of Fern Ridge)	Elmira
10	18-2-7	35 LA 95	Marcola
11	18-2-26	35 LA 63	Lowell
12	18-2-29	35 LA 64 Stuzsite	Lowell
13	18-2-16/21	35 LA 63Derysite	Lowell-Marcola
14	18-2-28	35 LA 61Lowell	
15	18-2-28	35 LA 60 Pleasant Hill	Lowell
16	18-2-30	35 LA 144	Lowell
17	18-2-33	35 LA 59	Lowell
18	18-2-33	35 LA 56	Lowell
19	18-2-33	35 LA 94	Lowell
20	18-2-32	35 LA 57 Pleasant Hill Area	Lowell
23	18-3-12	35 LA 133	Marcola
24	18-3-34	35 LA 113	Cottage Grove

25	18-5-33	Lorane Unit AR 090 49	Crow
26	18-5-33	Mohawk Unit AR 090 48	Crow
27	19-2-1	35 LA 58-Middle Fork Willamette	Lowell
28	19-2-4	35 LA 96-Seller Butte (SE)	Lowell
29	19-2-16	35 LA 116 Simions Site	Lowell
30	19-2-7	35 LA 117	Lowell
31	19-2-7	35 LA 118-Creswell Area near Bear Creek	Lowell
32	19-2-3	35 LA 123	Lowell
33	19-2-10	35 LA 124	Lowell
34	19-2-9	35 LA 125	Lowell
35	19-2-18	35 LA 135	Lowell
36	19-2-16	35 LA 193	Lowell
37	19-3-2	35 LA 91-Camas Swal Area	Cottage Grove
38	19-3-1	35 LA 121	Cottage Grove
39	19-3-8	35 LA 102	Cottage Grove
40	19-3-13	35 LA 120	Cottage Grove
41	19-3-12/13	35 LA B1	Lowell
42	19-3-13	35 LA 132	Cottage Grove
43	19-3-13	35 LA 134	Lowell
44	19-3-8	35 LA 136	Cottage Grove
45	19-3-18	35 LA 122	Cottage Grove
46	19-3-24	35 LA 119	Cottage Grove
47	19-3-24	35 LA 112	Lowell
48	19-3-26	35 LA 111	Cottage Grove
49	19-3-23	35 LA 104	Cottage Grove
50	19-3-16	35 LA 103	Cottage Grove
51	19-3-18	35 LA 101	Cottage Grove
52	19-3-24	35 LA 93 (S.E. of Creswell)	Lowell
53	19-3-17	Camas Swale Area	Cottage Grove
54	19-3-24	35 LA 127	Cottage Grove
55	19-3-25	35 LA 128	Cottage Grove
56	19-3-35	35 LA 129	Cottage Grove
57	19-3-35	35 LA 109	Cottage Grove
58	19-4-12	35 LA 20	Cottage Grove
59	19-4-12	35 LA 69	Cottage Grove
60	19-4-13	35 LA 114	Cottage Grove
61	19-3-35	35 LA 110	Cottage Grove
62	19	35 LA 99	Cottage Grove
63	19-4-14	Lorane Unit AR 090 47	Cottage Grove
64	19-5-22	Lorane Unit AR 090 50	Crow
65	20-6-1	35 LA 173 Siuslaw Falls Site	Crow
66	20-6-1	Lorane Unit AR 090 32	Crow
67	16-1-15	35 LA 236	Marcola
68	16-1-31	35 LA 235	Marcola
69	16-1-31	Mohawk Unit AR 090 45	Marcola
70	17-1-5	Mohawk Unit AR 090 46	Marcola



71	17-1-9	35 LA 248	Marcola
72	18-1-25	Mohawk Unit AR 090 35	Lowell
73	18-1E-30	Mohawk Unit AR 090 25	Lowell
74	18-1E-31	Mohawk Unit AR 90 26	Lowell
75	18-1E-31	35 LA 244	Lowell
76	18-4E-1	35 LA 194-Indian Ridge Site	Fairview Peak
77	19-2-16	35 LA 194	Lowell
77	19-1E-31	35 LA 30-38-Fall Creek	Hardesty Mtn.
78	20-1-3	BLM # Dorena District AR 090 18	Lowell
79	20-1-3	BLM # Dorena District AR 090 19	Lowell
80	20-1-11	BLM # Dorena District AR 090 8	Lowell
81	20-1-11	BLM # Dorena District AR 090 9	Lowell
82	20-1-11	BLM # Dorena District AR 090 10	Lowell
82	20-1-11	BLM # Dorena Limit AR 090 10	Lowell
83	20-1-11	BLM # Dorena Limit AR 090 11	Lowell
84	20-1-31	BLM # Dorena Limit AR 090 30	Lowell
85	20-3-14	35LA 106	Cottage Grove
86	20-3-14	35LA 107	Cottage Grove
87	20-3-4	35LA 105	Cottage Grove
88	20-3-13	35LA 100	Lowell
89	20-3-11	35LA 130	Cottage Grove
90	20-5-14	Lorane Unit AR 909 21	Crow
91	21-1-31	BLM # Dorena Unit BAP 090 15	Culp Creek
93	21-2-15	BLM # Dorena Unit AP 090 22	Lowell
94	23-2-10	BLM # Dorena Unit AP 090 13	Culp Creek
95	22-2-32	BLM # Dorena Unit AP 090 23	Culp Creek
96	23-1-16	BLM # Dorena Unit AP 090 51	Culp Creek
97	23-2-4	BLM # Dorena Unit AR 090 31	Culp Creek
98	21-4E-19	35LA 53 Baby Rock Shelter #2	Oakridge
99	21-4E-19	35LA 54 Baby Rock Shelter #1	Oakridge
100	20-4E-10	35LA 55 Summitt Huckleberry Mtn.	Sardine Butte

101	16-5-33	Virgin Ranch Site	Elmira
102	17-5-14	Smithfield	Elmira
103	17-05-33	Perkins	Elmira
104	18-12-3	Mohawk Unit 35LA 25	Siltcoos Lake
105	16-12-34	Mohawk Unit 35LA 25 Devil's Elbow St. Park	Heceta Head
106	Somewhere just east of Fern Ridge; contact State Historic Preservation Office	Franklin Site of Flanagan Site (on National Register)	
107	19-1-16	35LA 68 Dexter Park	Lowell

## **GOAL SIX: AIR, WATER AND LAND RESOURCES**

### **Water Quality**

1. Avoidance and/or control of soil erosion shall be a major criterion to be addressed in all applicable County review procedures and County construction activity.
2. The re-establishment of vegetative cover by standard erosion control practices shall be required as part of the land development process.
3. Lane County shall cooperate with the Department of Environmental Quality and other state and federal agencies in maintaining domestic water supplies to the existing standards of the appropriate governing body.
4. Lane County shall promote watershed practices which protect and enhance water quality and quantity through land use planning, Public Works projects and management of County facilities.
5. Lane County shall cooperate with the Lane Council of Governments and Oregon Department of Environmental Quality in identifying sources of water pollution and controlling or abating them. The County's primary emphasis will be the possible degradation of ground and surface water quality by onsite sewage disposal system.
6. Lane County shall cooperate with the Oregon Water Policy Review Board to evaluate flow requirements necessary to maintain water quality in critical streams and support the establishment of minimum flow designations for those streams.
7. In basins where consumptive flow appropriations result in water quality problems due to low flows, the County shall encourage the construction of small storage reservoirs for flow augmentation of sites with minimal use conflicts. The County will also encourage conservation practices among water consumers in those basins.

### **Air Quality**

1. The County shall support programs which reduce air pollution primarily through continued active participation in Lane Regional Air Pollution Authority (LRAPA).
2. The County shall encourage practices and developments which can meet air quality standards.
3. The County shall cooperate with State and Federal agencies to achieve enforcement of existing noise control regulations.
4. The County shall committed to, and shall participate in, programs of the Lane Regional Air Pollution Authority to monitor air quality in the County and ensure that federal, state and local standards are being met; the County shall cooperate in the same manner with the State Department of Environmental Quality with respect to air quality and noise control standards for which that is responsible.

5. Lane County shall, working in cooperation with LRAPA and DEQ, maintain an inventory of air pollution sources, and noise pollution sources where information is available, and shall update such inventory periodically.
6. Lane County shall develop a procedure of regular, routine referral of major land development and/or building permit requests to LRAPA and/or DEQ for review of air quality and noise implications, and shall consider the responses of those agencies to the referrals when action is being taken on the requests.

## **GOAL SEVEN: AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS**

1. The Natural Hazards Inventory, as contained in the 1982 Natural Hazards Working Paper and associated materials, shall be used as a guide for general land use decisions. Specific land use decisions shall be based upon the inventory and upon on-site or other evaluation as appropriate.
2. Development shall be commensurate with the type and degree of any natural hazard(s) present and appropriate safeguards against flooding, ponding, landslides, land slippage, erosion or other natural hazards applicable shall be assured. For purposes of evaluation and in the absence of any specific proposal, the provisions of the Oregon State Building Code shall be assumed to be the sole means of safeguard against natural hazards.
3. When extensive or drastic safeguards must be employed in conjunction with development proposals, the immediate and ultimate impact, (including financial and economic considerations) of such safeguards on the environment and the public shall be considered.
4. Lane County shall continue as a qualified participant in the Federal Flood Insurance Program through application of comprehensive flood hazards analysis and floodplain management data to general and specific land use decision.

## GOAL EIGHT: RECREATIONAL NEEDS

1. Lane County shall use the adopted Parks Master Plan as its chief guide for recreational development and service provision, to be supplemented by information obtained from the US Forest Service, the State Department of Transportation, the State Marine Board and other agencies.
2. Private recreational development in areas predominated by public recreational amenities and facilities shall be encouraged, provided that development is complimentary to or supplements public facilities.
3. Proposals for major recreational developments which exceed projected needs contained in the Recreational Working Paper of the Parks Master Plan shall be accompanied by a demand analysis.
4. Increase recreation opportunities, as needed, throughout the County.
5. Encourage private recreational development as an important component of the County's total supply of recreational facilities and services.
6. Encourage the development of recreation facilities in community development centers.
7. Encourage the development of environmentally compatible tourist and recreational facilities which enhance the economic prospects of rural areas while serving the recreational needs of tourist and County residents.
8. Continue development of a Countywide system of paths and trails for non-motorized travel (i.e. pedestrian, bicycle and equestrian) interconnecting development centers, recreation sites and scenic areas.
9. Increase public access to public outdoor recreation sites that can tolerate the pressure of increased use.
10. Encourage public and private participation to increase access to waterways, where needed, without infringing upon private property rights.
11. Encourage exchange of public lands of comparable value to offset acquisition of private lands for public use.
12. The County should develop additional guidelines to encourage the private lease and development of existing County-owned land for public recreational facilities.

## GOAL NINE: ECONOMY OF THE STATE

1. Within the framework of these policies, the County shall encourage the diversification and growth of the local economy. Primary efforts will be in the following areas:
  - a. Cooperation and participation with efforts and programs established by public agencies and private concerns to promote and enhance economic development throughout the County.
  - b. Recognition of the value of local resources such as timber and agricultural lands as the primary source of raw materials for the manufacturing and processing sectors of the economy.
  - c. Establishment of land use policies that provide a supportive environment for industrial and commercial activities.
2. The County's primary responsibility in economic development shall be to ensure the necessary land area is available throughout the County and appropriate levels of service can be obtained, consistent with the needs of industry and commerce, the area and other County policy.
3. Most industrial and commercial development shall be concentrated within the urban growth boundaries of the various cities throughout the County. The County shall work closely with city governments to improve economic conditions within their areas. During County review and adoption of city plans, particular attention shall be given to the identification and protection of industrial and commercial sites, both large and small scale.
4. Commercial and service facilities in rural, unincorporated communities shall be supported commensurate with increases in rural population and where necessary to insure continued operation of industrial activity. Such facilities shall be located within rural communities unless justified by appropriate plan amendment and exception to Statewide Planning Goals.
5. Existing parcels of land within UGBs which are suitable for large-scale industrial development shall be protected through the County's review and acknowledgment of city plans.
6. The County shall work closely with incorporated city governments to improve local economic conditions, including land and service provision.
7. New industrial development shall normally take place within adopted Urban Growth Boundaries, unless such development:
  - a. Is clearly rural oriented (e.g., canneries, logging operations, processing of resource material);
  - b. Is necessary for the continuation of existing industrial operations, including plan or site expansion;
  - c. Will be located in an area either built upon or committed to non-resource use where necessary services can be provided;

- d. The industrial activity is dependent on a unique site-specific resource;
  - e. The use is too hazardous or is incompatible in densely populated areas;
  - f. The industrial activity creates by-products which are used to a significant level in resource activities in the immediate area; or
  - g. Where a significant comparative advantage could be gained in locating in a rural area. Any development approved under this policy that requires a plan amendment shall be justified by an exception to applicable Statewide Planning Goals.
- 8. Existing industrial and commercial uses shall be designated on the plan diagram. Uses so identified shall be zoned to allow for continued operation and routine expansion commensurate with their character, provided significant conflicts with other land uses (existing and planned) do not result.
  - 9. Tourism shall be considered as a base industry having high potential for growth throughout the County. Development of facilities oriented towards tourists shall be given maximum support within the framework of these policies.
  - 10. As a stimulus to the tourist industry, the County shall maintain and where possible, improve public recreational facilities such as parks, boat ramps, etc. Wherever possible, private operations and contracts will be used in these endeavors.
  - 11. Specific standards for rural economic development shall be developed, which include the use of economic inventory data such as population and employment trends.
  - 12. Destination Resorts siting enhances tourism and is encouraged within Lane County. Destination Resorts shall be sited consistent with guidance in Goal 2: Land Use Planning.



## **GOAL TEN: HOUSING**

1. The adopted Lane County Housing Plan is a special function plan concerned with Goal 10 requirements, and containing a number of policy statements specifying the County's position toward these requirements. The 1978 Housing Plan, as amended, shall continue to be used as the primary guideline toward housing matters, and policy statements within it shall be considered to be mandatory actions which are ultimately binding on the County.

## GOAL ELEVEN: PUBLIC FACILITIES AND SERVICES

1. Lane County shall provide an orderly and efficient arrangement for the provision of public facilities, services and utilities. Designation of land into any given use category either initially or by subsequent plan amendment, shall be consistent with the minimum level of services established for that category.
2. Any increases in the levels of public facilities and services generated by the application of new or revised land use designations within an area shall, to the extent practicable, be financed and maintained by revenues generated within or as a result of those designated land uses. Those land uses benefiting from increased levels of public facilities or services shall be expected to provide a significant share of the costs associated with providing such facilities and services, recognizing that in some instances, resources for such provision must be obtained on a widespread geographic or revenue basis and may involve capital investments exceeding the immediate needs of the area being served.
3. Lane County shall actively support and assist progressive solid waste management efforts. The Lane County Solid Waste Management Plan shall be the primary instrument to affect this policy.
4. Lane County shall maintain an active role to provide the facilities and services needed to make quality health, social and cultural services available and accessible to all Lane County residents. The County's specific objectives at any given time in these areas are contained in the work program objectives of the Departments of Community Health and Social Services, Public Work and the County Fair Board.
5. Lane County shall participate in the coordination of planning and development for various public facilities and utility services. The primary means of affecting this policy shall be through a system whereby land use applications shall be referred to the various providers of services including cities, utilities, special districts, County and other public agencies, as well as the Lane County Boundary Commission.
6. Land designations and service levels:
  - a. Forest Land: Non-Impacted Forest Land (F-1)

Description: Forest land that requires the highest degree of protection from intrusion by non-forest uses. This land has a high value as commercial forest land or is valuable for one or more other forest uses. Use of the land should be directly related to existing or potential forest uses. Non-forest uses should be prohibited or severely restricted. (Refer to Goal #4 for Non-Impacted Forest Land General Characteristics)

Service Level: No minimum level of services is established for this category as it is intended primarily for resource management and not for habitation.
  - b. Forest Land: Impacted Forest Land (F-2)

Description: Forest land that warrants a high level of protection from conversion to nonforest uses. This land has the capability to produce timber or is designated for one or more of the other forest uses; however, it is limited in commercial value by either productive capacity or impact of conflicting uses. Agricultural uses are frequently intermixed with forest land in this category. Conversion of this land from timber production to other forest-related uses is permitted. Uses that are not forest or farm related should be allowed only after assurance that such uses will not adversely affect the surrounding forest land. (Refer to Goal #4 for Impacted Forest Land General Characteristics)

c. Agricultural Land: Exclusive Farm Use (E-25, E-30, E-40 or E-60)

Description: Land having soils of Class I, II, III or IV as identified by the United States Soil Conservation Service (SCS) land capability classification system. Adjacent and enclosed soils of other classes may be included as well as other soils currently in agricultural use. This land is of primary importance to the agricultural economy and uses should be directly related to agriculture. Non agricultural uses should be prohibited or severely restricted.

Service Level: No minimum level of services is established. Category is intended for resource management and not habitation.

d. Natural Resource: Mineral (QM or SG)

Description: Lands that have an exploitable resource and are of sufficient significant size and/or duration to warrant designation on the plan diagram. Any mineral resource extraction activity such as surface or subterranean mining, quarries and excavation of alluvial aggregate (sand or gravel) is included in this category.

Service Level: No minimum level of services is established. Category is intended for resource management and not habitation.

e. Rural Residential (RR-1, RR-2, RR-5, RR-10) (Outside Community Designations)

Description: Lands outside communities and not identified as Forest Land, Agricultural Land or Natural Resource: Mineral. These lands may have some productive capability, however, not to the degree warranting designation as resource land. This land can be used for low-density rural residences, part-time farming and similar activities. Settlement patterns will be primarily a factor of on-site conditions. (Refer to Goal #2, Policy #11, for criteria used to determine the application of the Rural Residential designation.)

Service Level: Schools, on-site sewage disposal, individual water supply system, electrical service, telephone service, rural level fire and police protection, reasonable access to solid waste disposal facility.

- f. Community (RR-1, RR-2, RR-5, RR-10, RA, RG, C1, C2, C3, M2, M3)

Description: Land that has an existing cohesive, dense settlement and development pattern to the degree that it may no longer be considered available for other uses. (Refer to Goal #2, Policy #10, for the characteristics an exception area must have to receive a Community designation.)

Service Level: Schools, on-site or community sewage disposal, individual or community water supply, electrical service, telephone service, rural level of fire and police protection, reasonable access to solid waste disposal facility.

- g. Rural Commercial (CR)

Description: Existing facilities providing goods and services. The category includes a broad range of such activities from a small isolated store to a large shopping complex. Only existing uses are shown as new commercial uses are expected to locate in development centers. New commercial establishments seeking to locate outside of a Community can do so only by a plan amendment or by justifying the location through the refinement process.

Service Level: Schools, on-site sewage disposal, individual water supply, electrical service, telephone service, rural level of fire and police protection, reasonable access to solid waste disposal facility.

- h. Industrial (M2, M3) (Outside Community Designations)

Description: Existing facilities engaged in the production of goods. The full range of such activities from small to large is included in this category. Only existing locations shown as new industrial uses are expected to locate in community centers. New industrial uses seeking to locate outside of a community can do so only through a plan amendment or by justifying the location through the refinement process. Expansion of existing uses will require justification through the exception process.

Service Level: Schools, on-site sewage disposal, individual water supply system, electrical service, telephone service, rural level of fire and police protection, reasonable access to solid waste disposal facility.

- i. Park or Recreation (PR)

Description: Lands or buildings devoted to public or semi-public recreational use. Included are such uses as golf courses, parks, reservoirs and surrounding land, etc.

Service Level: No minimum level of services is established for Park or Recreation areas outside committed areas. Service level for Park or Recreation areas inside committed areas shall be consistent with that level required for the Community or committed area outside of a Community.

j. Marginal Lands (ML)

Description: Lands that satisfy the requirements of ORS 197.247 may be designated Marginal Lands in accordance with other Plan policies.

Service Level: Consistent with service levels for Rural Residential outside a Community designation.

k. Non-resource Lands (NRES)

Description: Lands that are not farm or forest lands as defined by Statewide Planning Goals #3 and #4. (Refer to Goal #2, Policy 16.)

Service Level: Consistent with service levels for Rural Residential outside a Community designation. The service level for cluster subdivisions of non-resource shall be consistent with Goal #2, Policy 24.

## GOAL TWELVE: TRANSPORTATION

1. Lane County shall strive for a coordinated and balanced transportation system which complies with LCDC Goal 12 and is responsive to the economic, social and environmental considerations, and which will work toward the following objectives:
  - a. Safe, convenient and economical transportation for all people, materials and services.
  - b. An effective distribution of transportation options.
  - c. A transportation system responsive to changing needs and conditions.
  - d. Consideration of direct and indirect impacts of proposed transportation projects on the environment, energy resources, economy and general livability.
  - e. Public participation in the transportation planning process.
  - f. Coordination with the development of statewide comprehensive transportation plans.
  - g. Encouragement of energy-efficient modes of transportation.
  - h. Safe and convenient opportunities for bicycle and pedestrian travel throughout population areas of Lane County.
  - i. An efficient public transportation service which meets demonstrated needs for alternative transportation.
  - j. An appropriate level of general and commercial aviation development.
  - k. The development of the Port of Siuslaw consistent with adopted policies and plans.
2. In managing the transportation system toward the fulfillment of adopted County land use goals and plans, Lane County shall:
  - a. Provide transportation services as necessary to accommodate growth concentrated within existing communities.
  - b. Discourage the spread of residential development in agricultural and forest areas.
  - c. Guide the transportation pattern of newly developing areas and rural communities.
  - d. Ensure that transportation improvements are consistent with adopted public policies and plans.
  - e. Ensure that road development or improvement is consistent with adopted plan and policies.
3. Lane County shall seek an efficient, safe and attractive highway network to serve the existing and future arrangement of land uses by striving toward the following objectives:

- a. Make improved safety for the traveling public a primary consideration in the expenditure of resources.
  - b. Ensure that all road construction meets adopted uniform standards unless excepted for substantial reason.
  - c. Provide for timely development of streets and roads in community development centers.
  - d. Include aesthetic considerations in maintenance, construction or improvement within County road right-of-way.
  - e. Minimize frontage access onto the County's collector and arterial roads.
  - f. Ensure that future route selection considers the indirect costs as well as the direct costs of construction.
  - g. Discourage strip development between the County's urban service areas and their satellite communities.
  - h. To the extent possible, coordinate implementation of new highway facilities with land development needs to minimize stimulation of untimely land development.
  - i. Ensure that street and highway development or improvement is integrated with and complementary to other transportation modes.
  - j. Maintain County roads and bridges adequately to meet the needs of the trucking industry consistent with adopted land use plans for the area.
  - k. Establish priority trucking routes which minimize conflicts with incompatible land uses and areas of congestion.
4. The adopted Lane County Rural Transportation Plan is a special-function Plan concerned with Goal 12 requirements, and containing a number of Goals, Objectives and Recommendations on various components of the County's transportation system and Goal 12 requirements. The 1980 Rural Transportation Plan, as amended, shall be applied where appropriate; these Recommendations shall be considered to be mandatory actions which are ultimately binding on the County.

### **GOAL THIRTEEN: ENERGY CONSERVATION**

1. Lane County shall work to implement the Lane County Energy Task Force recommendations as soon as practical and feasible. Among them are the four broad programs listed below as well as a number of detailed recommendations, including ones to encourage efficiency in land use, building and transportation.
  - a. Develop staff capability to implement recommended programs.
  - b. Promote public education/awareness/motivation.
  - c. Provide and promote interjurisdictional cooperation and coordination.
  - d. Develop and publicize financial incentives/assistance for energy efficient project.
2. Lane County shall encourage energy conservation in the development and of public facilities, services and utilities and in the development and use of electrical and communication systems.
3. Lane County shall establish programs when financially feasible to promote the stated goal through intergovernmental cooperation, to increase public awareness of the benefits of energy conservation and to revise existing programs concerning land use, transportation, existing and new building.



## GOAL FOURTEEN: URBANIZATION

1. The County shall encourage new residential, commercial and industrial development to locate within existing incorporated cities or rural communities. Any growth outside Urban Growth Boundaries must:
  - a. Be restricted to committed or developed areas including approved new development centers; or
  - b. Under certain specified conditions set forth in this plan, industrial, commercial and residential development is appropriate outside of developed and committed areas provided a valid exception is taken and/or all Statewide Goal requirements are met.
  - c. Any community designated in the plan that does not have an adequate Urban Growth Boundary, or any addition to such community that may be proposed, shall be justified by a valid exception pursuant to Statewide Goal 2, Part II.

This and subsequent policies do not apply to the Eugene-Springfield Metropolitan Area, which is governed by the Metro Area Plan.

2. The County shall provide for orderly and efficient transition from rural to urban land use while insuring the supply of housing, employment, livability and other amenities, in order to accommodate the long-range growth of each city.
3. The County shall provide for a cooperative UGB management process between the County and cities in the County in the following:
  - a. The establishment and periodic revision of urban growth boundaries and the planning and implementation of common policies and procedures within the boundaries;
  - b. The planning and implementation of city policies for lands inside city boundaries which may affect the County.
4. The County shall continue to comply with the planning coordination requirements, and the "urban growth management program" requirements of the Oregon Land Conservation and Development Commission.
5. The County will seek agreement with each city to commonly determine the location of urban growth boundaries and the interim and long-term land use designations and public improvement project designations within the growth boundaries.
6. Each city is regarded as the logical and ultimate provider of urban services within its urban growth boundaries; Lane County will not approve any development nor encourage or abet the establishment of urban services or facilities within the city's urban growth boundary, which are contrary to city policy or agreement excepting establishment service districts.
7. It is the County's position that ultimate urban-level density within a city's urban growth boundary should occur only where all essential public facilities and services (water, sewer, etc.) are or will be shortly available. Cities are encouraged and expected to prepare and publish facilities plans and schedules for all facilities.

8. the County will encourage the orderly and logical annexation of territory to each city.
9. Any County approval of the division and/or development of land within a city's urban growth boundary will be consistent with provisions of the applicable city plan within the area. If necessary, the County may take one or more of the following actions to land outside the city's jurisdiction:
  - a. On an interim basis, limiting the level of development to less than the planned urban density or intensity, based on interim standards to be adopted and published.
  - b. Determining that the design and operation of an interim land use will allow for later conversion to full urban densities in an orderly and efficient manner (e.g., land divisions to be approved in such a way as to permit later redivision into greater and urban-level densities), and that the interim land use will not otherwise pre-empt the subject or other properties from the future orderly provision of urban services and facilities;
  - c. Requiring that interim and long-term development be consistent with existing master sewer and/or water plans for the urban growth area;
  - d. Requiring city service connection, where agreeable to the city and consistent with applicable law, and where consistent with approved master facility plans for the urban growth area.
10. Lane County will apply where appropriate applicable city public improvement standards within urban growth boundaries where it is determined that those standards are more rigorous than those of the County. Where city standards are not practicable, County approvals will be given in such a way as to permit each conversion in the future to city standards.
11. Use of utility easements and natural drainage ways within the urban growth area shall be consistent with applicable plans, will have multiple uses where practicable and will be based on County-city agreement.
12. The County will provide each city the opportunity to review and comment upon County consideration of plans, ordinances, development proposals (zoning and land division), public improvement projects, sale of County lands and other similar matters of city interest which occur within the city's area of influence and/or urban growth boundary, via "joint agreements for planning coordinator" executed with each city.
13. Lane County will expect to review city proposals for, or consideration of, matters of County interest through established procedures. Matters to be reviewed may include those listed above in Policy No. 12, plus other matters such as annexations, as governed by joint agreement.
14. Lane County shall attempt to achieve coordinated establishment approaches (including plan land use\public improvement approaches (including plan land use designations, development policies, zoning, etc.). Plan coordination may take one of the following forms:

- a. Co-adoption, with each city, of a common comprehensive plan; or
  - b. Adoption of the city's comprehensive plan as a part of the County's plan(s);  
or
  - c. Approval of any supplemental policies or procedures which will accomplish the intent of this section of the Policies, which may be mutually agreed upon by the County and each city.
15. Lane County shall regard itself as "caretaker" for lands within city UGBs but outside of city limits and will administer County land use and other regulations toward that objective, within the parameters established by the preceding Policies. Conflicts between city and County interpretations of plans or appropriate County actions shall be resolved temporarily in favor of County until the conflict is fully resolved through plan amendment or clarification, or other action.
  16. Unincorporated communities shall be considered and treated as part of the County Plan with due consideration for community needs and values. Urban-level development requiring or ultimately likely to require urban services such as sewer and water systems shall not be approved unless the community itself, by public or private installation, can supply these services, and the development is in the form of an acceptable new development center proposal.
  17. Within established UGB's, city plans ratified or adopted by the County are to be considered the governing land use documents, but do not pre-empt final County legal responsibilities or authority. Contract annexation agreements between cities and the County may modify this position as acceptable to both parties.

## **GOAL FIFTEEN: WILLAMETTE RIVER GREENWAY**

1. Maintain and support continuation of existing uses within the Greenway Boundary.
2. Intensification and change of use of lands within the Greenway Boundary shall remain compatible with the protection, conservation and enhancement of the natural, scenic, historic, agricultural, economic and recreational qualities of the Willamette River Greenway Program.
3. Recognize that the Greenway consists of a multitude of resources and due to continued growth, 100 percent protection to all resources will never be realized.
4. Protect, conserve and preserve important economic uses such as, but not limited to, agriculture, sand and gravel, tourism and recreation, fish and wildlife, urban lands and timber within the Greenway.
5. Maintain sufficient water flows to support water uses such as municipal, agricultural, industrial, natural resources (i.e., fish, aquatic life, wildlife) and recreation within the Greenway.
6. Prioritize water quality management controls along the Coast Fork and the Main Stem, especially in the Metropolitan area.
7. Acquisitions for Greenway purposes must be consistent with noninterference or interruption of farm uses.
8. Recognize that ODOT cannot condemn for a scenic or use easements on lands devoted to farm use; however, easements may be given by owners of lands being used for farm purposes.
9. Protect water rights and access to the river for irrigation purposes.
10. Development shall be directed away from the river, to the greatest degree possible.
11. A setback line shall be established in order to protect, maintain, preserve and enhance the natural, scenic, historic and recreational qualities of the Greenway.
12. The partial harvest of timber shall be permitted beyond the vegetative fringes in areas not covered by a scenic easement when the harvest is consistent with an approved plan under the Forest Practices Act, or, if not covered by the FPA, then with an approved plan under the Greenway compatibility review provisions. Such a plan shall insure that the natural scenic qualities of the Greenway will be maintained to the greatest extent feasible or restored within a brief period of time.
13. Active, zoned, or designated aggregate extraction and/or processing sites shall be protected from non-compatible uses which would preclude future utilization of the resource.

14. Where feasible, point bar removal shall be accommodated by temporary access points.
15. In assessing the impact which an extraction and/or processing operation has on the natural and cultural attributes of the Greenway, the County shall require (within its realm of authority) mining methods which reduce or mitigate adverse impacts, as well as considering the economic and other benefits which will accrue in both short and long term.
16. Aggregate operations occurring within the Greenway shall comply with the provisions of applicable state statutes and local zoning ordinances in regard to safety, operational standards, public review, reclamation and protection of Greenway values.
17. The relationship between the demand for the resource and the amount and location of land available for aggregate extraction and/or processing shall be closely monitored, so as to ensure the future availability of aggregate material in close proximity to urban areas and other points of use. Such monitoring shall be conducted in conjunction with the industry and state and local efforts.
18. Protect vegetation resources which are identified as having unique recreational, aesthetic, scientific or wildlife habitat values. Encourage acquisition of these areas or obtain a protective scenic easement.
19. The County shall require to the maximum feasible extent the protection of the vegetative fringe within the Greenway, and shall require the re-establishment of vegetative cover where it has been significantly removed during the land development process.
20. Conserve the rural character of the river bank as a primary objective within the Greenway.
21. Encourage a river-related mixture of industrial, commercial, residential and public land uses where appropriate in the Greenway.
22. In instances where a public agency has acquired productive farmlands or other resource lands as long-range reserve for recreational use, if possible, such property should be leased back for agricultural or other resource use until it is required for public purposes.
23. Provide and encourage use of public land within the Greenway.
24. Accommodate public access to the river and to public lands within the Greenway by:
  - a. Controlled, clearly designated, access points;
  - b. Establishment of an integrated system of safe river landings, hiking and cycle paths, and public roads leading in and out of the Greenway at strategic locations;

- c. Use of a limited number of access points, each with improved facilities, good roads and high-visibility connectors.
- 25. Provide appropriate levels of police protection in those areas subject to public use.
- 26. Encourage additional police security for private and publicly owned lands within the Greenway.
- 27. Protect, conserve or preserve the scenic and recreational qualities of the lands within the Greenway Boundary.
- 28. Public recreation use areas shall be located in or near the more populated urban areas and shall emphasize access to the river.
- 29. The sensitivity of lands within the Greenway shall determine the level of human activity.
- 30. Recreation development shall include a variety of river-oriented opportunities in urban areas but shall be limited in rural areas to those river-oriented recreation uses that are compatible with the sensitive character of the river and other important resources.
- 31. Consider and minimize the possibility that public recreation use might disturb adjacent private property owners.
- 32. Scenic easements shall not be acquired through the exercise of the power of eminent domain on lands in farm use.
- 33. Control vehicle access to the river.
- 34. Consider and adopt policies that would not hinder the physically handicapped from using public recreation facilities within the Greenway Boundary.
- 35. Emphasize public access to the river in the metropolitan area and other urban areas while discouraging upland access in rural areas.
- 36. Measures should be taken to minimize disturbance to private property, including the implementation of programs to eliminate trespass and vandalism on private lands and destruction of ecological fragile areas.
- 37. Mineral and aggregate extraction activities within the Willamette Greenway shall comply with the requirements of Statewide Planning Goal 15 (Willamette Greenway). Significant fish and wildlife habitat areas shall be protected in accordance with sections C.3.d. and C.3.i. of the Goal. The provisions of the Lane County Willamette Greenway Plan and implementing regulations shall be used to this purpose.

### **PART III: "COASTAL RESOURCES MANAGEMENT PLAN" POLICIES**

Adopted 6/19/80, Ord. 803

Revised 1/82, Ord. 862

Revised 3/16/82, Ord. 876

Revised 6/6/91, Ord. 1000

The policies listed on the following pages have been excerpted from the Lane County Coastal Resources Management Plan which explains the policies and defines how the policies should be used. Therefore, the Coastal Resources Management Plan must be used in conjunction with any application of the policies.

## **GOAL SIXTEEN: ESTUARINE RESOURCES**

### **Natural**

1. Log storage on existing sites should continue subject to the requirements of state and federal regulations. Log storage in the waters of the Siuslaw has been the practice of wood processing firms for many years. Storage and handling of logs by use of water is an integral part of the present facilities' manufacturing processes and is therefore water dependent. However, due to impacts of log storage in inter-tidal areas, Lane County recommends against expansion of existing sites or creation of new storage sites in the Natural MU.
2. Low-intensity grazing on high salt marshes is consistent within the capacity of the marsh to accommodate such use and retain significant natural characteristics.
3. Commercial clamming and fishing shall only be allowed to the extent that the productivity of the resource is not endangered. The Oregon Department of Fish and Wildlife shall be the proper consulting agency in this regard.
4. Riprap to protect structures existing prior to October 7, 1977, to protect unique natural resources, historical and archaeological values and public facilities such as bridge support structures, shall be allowed provided other protection measures less harmful to the estuary have been considered and found by the County not to be feasible. Short-term fills for temporary alterations are permissible, provided such alterations satisfy Goal 16 and Lane Code standards concerning such activities, and provided the estuarine areas impacted can be restored following removal of the fill. All other fills, regardless of volume, are prohibited in this MU.
5. Provided they comply with Goal 16 and Lane Code 16 provisions concerning the protection of the resource capabilities of the areas in which they are to be located, uses involving the maintenance and/or installation of public facilities (bridge crossing, tide gates, temporary alterations and other similar uses identified in the Goal) are appropriate within this Management Unit.
6. Temporary alterations are permitted in the Management Unit only to allow minor and reversible alterations to areas and resources that Goal 16 otherwise requires be preserving or conserving. This exemption is limited to alterations in support of uses permitted by the Goal; it is not intended to allow uses which are not otherwise permitted by the Goal. A resource capabilities test shall be applied to temporary alteration proposals to ensure:
  - a. That the short-term damage to resources is consistent with resource capabilities of the area; and
  - b. That the area and affected resources can be restored to their original condition.

### **Conservation**



1. Log storage on existing sites is subject to the requirements of state and federal regulations. Log storage in the waters of the Siuslaw has been the practice of wood processing facilities for many years. Storage and handling of logs by use of water is an integral part of the present facilities' manufacturing processes and are therefore water dependent.

Expanded or new log storage leases shall be allowed only if:

1. It is determined that the storage is water dependent;
  2. A public need is demonstrated;
  3. No alternative upland locations are feasible;
  4. Adverse impacts are minimized as much as feasible;
  5. The storage meets all applicable state and federal regulations;
  6. The storage does not pre-empt long-established recreational use of the site; and
  7. Logs will not ground at low water.
2. Single-family, single-purpose piers are discouraged in favor of public, multiple-purpose or commercial piers. Mooring buoys, floating piers, launching ramps and dry-land storage are potential alternatives.
3. Filling, dredging and other activities which degrade natural estuarine values will be allowed only:
  - a. If required for navigation or other water-dependent uses that require an estuarine location or if specifically allowed by the applicable management unit requirements of this goal; and
  - b. If a need (i.e., a substantial public benefit) is demonstrated and the use or alteration does not unreasonably interfere with public trust rights; and
  - c. If no alternative upland locations exist; and
  - d. If adverse impacts are minimized.
  - e. I in compliance with mitigation requirement of ORS 541.605 to 541.695 (Fill and Removal Law).

Other uses and activities which could alter the estuary shall only be allowed if the requirements in (b),(c) and (d) are met.

4. Temporary alterations are permitted in this Management Unit only to allow minor and reversible alterations to areas and resources that Goal 16 otherwise requires be preserving or conserving. This exemption is limited to alterations in support of uses permitted by the Goal; it is not intended to allow uses which are not otherwise permitted by the Goal. A resource capabilities test shall be applied to temporary alteration proposals to ensure:
  - a. That the short-term damage to resources is consistent with resource capabilities of the area; and
  - b. That the area and affected resources can be restored to their original condition.

Normal maintenance dredging or existing facilities and dredging of minor channels between such facilities and the main Siuslaw River channel constitute minor estuarine alterations.

### **Development**

1. New dredging projects, any project which requires filling of the estuary, or other degradation of natural biological values, shall be allowed only:
  - a. if required for navigation or other water-dependent uses that require an estuarine location or if specifically allowed by the applicable management unit requirements of Goal 16; and
  - b. if a need (i.e., a substantial public benefit) is demonstrated and the use or alteration does not unreasonably interfere with public trust rights; and
  - c. if no feasible alternative upland locations exist; and
  - d. if adverse impacts are minimized.
  - e. if in compliance with mitigation requirements of ORS 541.605 to 541.695.
2. Dredge or fill activities, as otherwise approved, must be mitigated, if found to be subject to the mitigation requirement, by creation, restoration or enhancement of an estuarine area to maintain the functional characteristics and processes of the estuary such as its natural biological productivity, habitats and species diversity, unique features and water quality.
3. Maintenance dredging of the navigation channel, as authorized in the Siuslaw River Dredge Material Disposal Plan, is automatically approved and need not go through an impact assessment for each individual project.
4. Proposals must consider and not be detrimental to natural characteristics of value in the adjacent estuary.
5. Flood and erosion control structures such as jetties, bulkheads and seawalls, shall meet the requirements of Policy #1 and shall be designed and sited to minimize:
  - (1) erosion or man-induced sedimentation in adjacent areas, and
  - (2) other adverse impacts on water currents, water quality, and fish and wildlife habitat.
6. Temporary alterations are permitted in this management unit only to allow minor and reversible alterations to areas and resources that Goal 16 otherwise requires be preserving or conserving. This exemption is limited to alterations in support of uses permitted by the Goal; it is not intended to allow uses which are not otherwise permitted by the Goal. A resource capabilities test shall be applied to temporary alteration proposals to ensure:
  - a. That the short-term damage to resources is consistent with resource capabilities of the area; and
  - b. That the area and affected resources can be restored to their original condition.

## GOAL SEVENTEEN: COASTAL SHORELANDS

### Significant Natural Areas

1. Uses shall fall within Priority 1 of the General Priority Statement (page 43). No use shall be permitted within a Significant Natural Shore lands Management Unit unless that use is determined to be consistent with protection of natural values identified in the Coastal Resources Management Plan's description of the Management Unit.
2. Artificial bank stabilization shall be allowed only to protect structures existing as of October 7, 1977 and only after other methods of bank stabilization which are less destructive to the resource have been considered, or unless the unique value of the resource itself is in danger.
3. Dredge spoil disposal is appropriate only on the dunes in MU along the estuary, as indicated in the Siuslaw Dredged Material Disposal Plan.
4. Development shall not result in the clearance of natural vegetation in excess of that which is necessary for the actual structure(s), required access, fire safety requirements and the required septic or sewage disposal system. Parcels which exhibit vegetation removal shall be replanted as soon as possible.
5. Filling in coastal lakes adjacent to this MU is not allowed.
6. Timber harvesting activities shall be consistent with Forest Practices Act rules. Lane County recommends that timber harvest plans consider both scenic and biologic values of the MU.

Where major marshes and significant wildlife habitat or riparian vegetation are identified by the Lane County Coastal Inventory on lands subject to forest operations governed by the Forest Practice Act, the act and forest practice rules administered by the Oregon Department of Forestry will be used to protect the natural values of these resources and to maintain riparian vegetation.

7. Land division The development of water-dependent commercial or industrial land uses, water-related land uses, and other similar land uses, shall be allowed only upon a finding by the governing body of the County Approval Authority that such uses satisfy a need, fulfill a substantial public benefit which cannot reasonably be accommodated at other upland locations, within rural areas acknowledged as developed or committed to development, or in urban or urbanizable areas and are compatible with identified shore lands values.
8. Development on lots less than 10 acres in size shall be prohibited. Where lots less than 10 acres existed on the date of adoption of this report, development may occur if in conformance with the requirements of the parent zone and this Management Unit.
9. For any approved development on coastal lake or estuarine shore land in this management unit, a minimum 100' building setback from the shoreline is required

wherever practicable. Setback requirements on ocean shore lands in this MU will vary depending on the rate of erosion at the site and will require a County site review. Furthermore:

- a. A band of natural vegetation no less than one-half the width of the setback shall be left in natural vegetation.
  - b. Existing lots which are too small to accommodate both the required management unit setback, the construction of a residence and other development requirements such as septic and replacement fields will be allowed to build in this setback zone following a County site inspection, providing clearance of vegetation on the remainder of the lot is kept to an absolute minimum, and other County requirements are met, and hazard to life and property is minimal and acceptable.
  - c. Within the shore side belt of natural vegetation, the following kinds of modifications are allowable:
    - 1) unsurfaced foot paths;
    - 2) removal of hazardous vegetation as unstable stream bank trees or trees otherwise vulnerable to blowdown may allowed in unusual circumstances following review by the County or Oregon Department of Fish and Wildlife. Stream bank trees, snag and shorefront brush are necessary for wildlife habitat.
    - 3) replanting of areas modified in "c." above or other areas which have been previously cleared.
10. Construction or expansion of single-family, single-purpose piers is discouraged in favor of multiple-use, public or commercial piers.
- Applicants for such single-purpose piers shall be required to demonstrate that no viable alternatives (cooperative use of existing piers, nearby public facilities, mooring buoys, etc.) exist before approval of construction. Docks and piers existing on the date of Plan adoption may be rebuilt (not expanded) if damaged or destroyed.
11. New development proposed of this management unit shall blend to the maximum degree feasible with the surrounding vegetation and topography in terms of color, form and location. Design and site shall be reviewed to ensure that visual harmony is achieved consistent with the purposes of the management unit.
12. The filling in of freshwater marshes within this MU is not allowed. Freshwater marsh areas are found south of Sutton Lake between the two portions (MU 4) and in estuary shore land's MUs 4 and 27.
13. Improvements to ocean shore areas (as defined in ORS 390.605) are subject to a permit from the Oregon Department of Transportation.

### **Prime Wildlife Area**

1. Uses shall fall within Priority 1 of the General Priority Statement (page 43). "No use shall be permitted within a Prime Wildlife Shore lands Management Unit unless that

use is determined to be consistent with protection of natural values identified in the Coastal Resources Management Plan's description of the Management Unit.

2. Artificial bank stabilization shall be allowed only in unusual circumstances where natural erosion processes are threatening critical wildlife habitat or structures existing on or before October 7, 1977, provided that natural bank stabilization methods have been considered. Riprap used for bank stabilization must meet Army Corps of Engineers strength, size and design criteria unless the County Engineer determines this to be unnecessary and inadvisable.
3. For any approved development in this MU, a minimum 50' horizontal setback from the shoreline of the estuary or coastal lakes is required. Ocean shore land setback will vary depending on current rate of erosion and will require a site review. Implementation will include the following:
  - a. Existing lots which are too small to accommodate both the required Management Unit setback, the construction of a residence and other development requirements such as septic and replacement fields which will be allowed to build in this setback zone following a County site inspection, providing clearance of vegetation on the remainder of the lot is kept to an absolute minimum and other County requirements are met.
  - b. Within the 50' setback, 30' adjacent to the shore shall be left in natural vegetation. Brush may be removed from the remaining 20' if revegetated and, decks and similar structures may project into this area.
  - c. Within the 30' of natural vegetation the following kinds of modifications are allowable:
    - 1) unsurfaced foot paths;
    - 2) removal of hazardous vegetation such as unstable stream bank trees or trees otherwise vulnerable to blowdown may be allowed in unusual circumstances following review by the County or Oregon Department of Fish and Wildlife. Streambank trees, snags and shorefront brush are necessary for wildlife habitat.
    - 3) replanting of areas modified in "c." above or other areas which have been previously cleared.
4. Development shall not result in the clearance of natural vegetation in excess of that which is necessary for the actual structure(s), required access, fire safety requirements and the required septic or sewage disposal system. Parcels which exhibit vegetation-free areas suitable for development should utilize such areas for the building site where feasible. Areas of excessive vegetation removal shall be replanted as soon as possible.
5. State Fish and Wildlife biologists shall have a 14-day "review and comment" period to evaluate the impact of any development on critical habitats and to make suggestions concerning ways to avoid or mitigate identified adverse impacts.
6. Filling in coastal lakes adjacent to this MU is not allowed.

7. Development on lots less than five acres in size shall be prohibited. Where lots less than five acres existed on the date of adoption of this report, development may occur if in conformance with the requirements of the parent zone and this management unit.
8. Timber harvesting shall be consistent with Forest Practices Act rules. Lane County recommends that timber harvesting activities be allowed in the Prime Wildlife Area under Forest Practices Act rules after consultation with Oregon Department of Fish and Wildlife to determine a harvest plan which will result in the least impact on wildlife inhabiting the designated area.

Where major marshes and significant wildlife habitat or riparian vegetation are identified by the Lane County Coastal Inventory on lands subject to forest operations governed by the Forest Practice Act, the act and forest practice rules administered by the Oregon Department of Forestry will be used to protect the natural values of these resources and to maintain riparian vegetation.

9. No dredge spoils deposition shall be allowed in the Prime Wildlife management unit.
10. Construction or expansion of single-family, single-purpose piers is discouraged in favor of multiple-use, public or commercial piers. Applicants for such single-purpose piers shall be required to demonstrate that no viable alternatives (cooperative use of existing piers, nearby public facilities, mooring buoys, etc.) exist before approval of construction. Docks and piers existing on the date of Plan adoption may be rebuilt (not expanded) if damaged or destroyed.
11. Land divisions The development of water-dependent commercial or industrial land uses, water-related land uses, and other similar land uses, shall be allowed only upon finding by the governing body of the County Approval Authority that such uses satisfy a need, fulfill a substantial public benefit which cannot reasonably be accommodated at other upland locations, within rural areas acknowledged as developed or committed to development, or in urban or urbanizable areas and are compatible with identified shoreland values.
12. The filling in of freshwater marshes within this management unit is not allowed. Freshwater marsh areas are found within Estuarine shorelands MU 21 opposite the east end of Duncan Island, in section 18-11-12, and within Woahink Lake shorelands MU 2 (19-12-11) and Siltcoos Lake MU 4 (19-11-19 and 30) and MU 5 (19-12-35). Smaller freshwater marsh areas are also found on Siltcoos Lake within MU 5 (19-12-25).
13. Improvements to ocean shore areas (as defined in ORS 390.605) are subject to a permit from the Oregon Department of Transportation.

#### **Natural Resources Conservation**

1. Uses shall fall within, and respect, Priorities 1-4 of the General Priority Statement (page 43).

2. Dredge spoil disposal must provide adequate run-off protection and, whenever possible, maintenance of a riparian strip along the water. Those sites adopted as part of the Siuslaw River Dredged Material Disposal Plan are automatically approved.
3. Artificial bank stabilization shall be used only to protect public and private roads, bridges or railroads, or when natural erosion processes are threatening a structure which existed on October 7, 1977.
4. Construction or expansion of single-family, single-purpose piers is discouraged in favor of multiple-use, public or commercial piers. Mooring buoys, floating piers, launching ramps and dryland storage are potential alternatives. If this MU exists adjacent to a natural estuarine MU, no pier development shall be allowed. Recently destroyed or damaged piers may be replaced if destroyed.
5. Filling in coastal lakes adjacent to this MU shall be allowed only in very rare instances and after a complete study of potential physical or biological impacts upon the lake. The cumulative effects of all such fills shall be considered. Positive benefits must outweigh negative effects.
6. Forestry and agricultural practices shall take place in such a manner as to retain the flexibility of future shore land uses and to maintain the natural integrity of the estuary.

Where major marshes and significant wildlife habitat or riparian vegetation are identified by the Lane County Coastal Inventory on lands subject to forest operations governed by the Forest Practice Act, the act and forest practice rules administered by the Oregon Department of Forestry will be used to protect the natural values of these resources and to maintain riparian vegetation.

7. Land divisions. The development of water-dependent commercial or industrial land uses, water-related land uses, and other similar land uses, shall be allowed only upon a finding by the governing body of the County Approval Authority that such uses satisfy a need, fulfill a substantial public benefit which cannot reasonably be accommodated at other upland locations, within rural areas acknowledged as developed or committed to development, or in urban or urbanizable area and are compatible with identified shorelands values.
8. For any approved development on coastal lake or estuarine shoreline in this MU, a minimum 50' building setback from the shoreline is required. Setback requirements on ocean shorelands in this MU will vary depending on the rate of erosion in the area and will be determined by County site review. Furthermore:
  - a. Within the 50' setback, 30' adjacent to the shore shall be left in natural vegetation. Brush may be removed from the remaining 20' if revegetated and, decks and similar structures may project into this area.
  - b. Existing lots which are too small to accommodate both the required management unit setback, the construction of a residence and other

development requirements such as septic and replacement fields will be allowed to build in this setback zone following a County site inspection providing clearance of vegetation on the remainder of the lot is kept to an absolute minimum, and other County requirements are met and hazard to life and property is minimal and acceptable.

- c. Within the 30' of natural vegetation, the following kinds of modifications are allowable:
  - 1) Unsurfaced foot paths;
  - 2) Removal of hazardous vegetation such as unstable streambank trees or trees otherwise vulnerable to blowdown may be allowed in unusual circumstances following review by the County or Oregon Department of Fish and Wildlife. Streambank trees, snags and shorefront brush are necessary for wildlife habitat.
  - 3) Replanting of areas modified in "c." above or other areas which have been previously cleared.
- 9. The District Forester of the Oregon Department of Forestry shall have a 14-day "review and comment" period to evaluate the impact of development proposed on lands zoned for timber production within the management unit. The ODF may make suggestions concerning ways to avoid or mitigate adverse impacts.
- 10. Only developments and activities which do not pose a threat to life or property from land instability, erosion or other natural hazards shall be allowed. Where the property is zoned for timber production, it is the responsibility of ;the Forest Practice Act to ensure that timber harvest activities pose no hazard to life or property.
- 11. Improvements to ocean shore areas (as defined in ORS 390.605) are subject to a permit from the Oregon Department of Transportation.

### **Residential Development**

- 1. Uses shall fall within, and respect, Priorities 1 and 4 of the General Priority Statement (page 43).
- 2. A minimum building setback of 50' from the shoreline of coastal lakes or estuaries shall be required. The shoreward 30' of this setback area shall be maintained in natural vegetation wherever currently existing. Where not presently existing, it should be encouraged to develop. Setback needs along ocean shorelands will vary due to rate or erosion in the area and will require a County site review. Furthermore:
  - a. Existing lots which are too small to accommodate both the required management unit setback, the construction of a residence and other development requirements such as septic and replacement fields will be allowed to build in this setback zone following a County site inspection providing clearance of vegetation on the remainder of the lot is kept to an absolute minimum, and other County requirements are met, and hazard to life and property is minimal and acceptable.



- b. Within the shoreside belt of natural vegetation, the following kinds of modifications are allowable:
  - 1) unsurfaced foot paths;
  - 2) removal of hazardous vegetation such as unstable streambank trees or trees otherwise vulnerable to blowdown may be allowed in unusual circumstances following review by the County or Oregon Department of Fish and Wildlife. Streambank trees, snags and shorefront brush are necessary for wildlife habitat.
  - 3) replanting of areas modified in "c." above or other areas which have been previously cleared.
- 3. Construction or expansion of single-family, single-purpose piers is discouraged in favor of multiple-purpose, public or commercial piers. If destroyed, existing or previously existing docks or piers may be rebuilt but not expanded.
- 4. Dredge soil disposal sites approved as part of the Siuslaw River Dredged Material Disposal Plan are automatically approved and need no additional review.
- 5. Filling in coastal lakes adjacent to this MU is not allowed.
- 6. Land divisions The development of water-dependent commercial or industrial land uses, water-related uses, and other similar land uses, shall be allowed only upon a finding by the governing body of the County Approval Authority that such uses satisfy a need fulfill a substantial public benefit which cannot reasonably be accommodated at other upland locations, within rural areas acknowledged as developed or committed to development, or in urban or urbanizable areas and are compatible with identified shorelands values.
- 7. Improvements to ocean shore areas (as defined in ORS 390.605) are subject to a permit from the Oregon Department of Transportation.

### **Mixed Development**

- 1. Uses shall respect the priorities set out in the General Priority statement (page 43 & 44).
- 2. All lands within this management unit which have the potential for water-dependent commercial and industrial and water-related uses have priority over other uses within this management unit. However, new water-related and water-dependent development in rural shoreland areas shall be allowed only upon a finding by the governing body of the County that such uses cannot be accommodated within an urban or urbanizable area or within areas which are acknowledged as developed or committed to development.
- 3. Short-term economic gain or convenience in development shall be evaluated in relation to potential long-term effects on the estuary and shoreland, as well as the long-term economy of the area.

4. Promotion of visual attractiveness shall be a consideration in any commercial or industrial development.
5. Natural riparian vegetation should be maintained or encouraged to provide erosion control, bank stabilization, and aesthetic quality and to maintain water quality and temperature, except where maintenance of vegetation would preclude use of the site for a water-dependent use and removal will not be detrimental to erosion control, bank stabilization or water quality.
6. Construction or expansion of single-family, single-purpose piers is discouraged in favor of multiple-use, public or commercial piers. If destroyed, existing or previously existing docks and piers may be rebuilt but not expanded.
7. Dredge spoil disposal sites which were approved as part of the Siuslaw River Dredged Material Disposal Plan are automatically approved and need no additional review.
8. Filling in coastal lakes adjacent to this MU is allowed only to protect water-dependent uses and only after a complete study of the potential physical or biological impacts upon the lake. Cumulative effects of all such fills shall be considered.
9. New residential development shall be permitted within this Management Unit only on parcels determined to be unsuited to water-dependent or water-related uses and only if consistent with the parent zoning district.
10. Land divisions The development of water-dependent commercial or industrial land uses, water-related land uses, and other similar land uses, shall be allowed only upon a finding by the governing body of the County Approval Authority that such uses satisfy a need, fulfill a substantial public benefit which cannot reasonably be accommodated at other upland locations, within rural areas acknowledged as developed or committed to development, or in urban or urbanizable areas and are compatible with identified shorelands values.
11. Improvements to ocean shore areas (as defined in ORS 390.605) are subject to a permit from the Oregon Department of Transportation.

## **GOAL EIGHTEEN: BEACHES AND DUNES**

### **General Policies**

1. Ensure the protection and conservation of coastal beach and dune resources.
2. Prevent economic loss by encouraging development consistent with the natural capability of beach and dune landforms.
3. Provide for clear procedures by which the natural capability of dune landforms can be assessed prior to development.
4. Prevent cumulative damage to coastal dune resources due to the incremental effects of development.
5. Protect areas of scenic, scientific or biological importance, significant wildlife habitat, and other critical environmental areas through use of appropriate underlying zoning.
6. When federal lands are converted to nonfederal ownership, plan and zone designations shall become effective.

### **Beaches**

1. Development on the beach is not allowed, with the exception of certain features such as necessary jetties or beachfront protective structures.
2. Permits for beachfront protective structures shall be issued only for those developments that existed on January 1, 1977. Criteria for the issuance of such permits shall include, at least, that:
  - a. visual impacts are minimized,
  - b. necessary public access to the beach is maintained,
  - c. negative impacts on adjacent property are minimized as much as possible,
  - d. long-term or recurring costs to the public are avoided, and
  - e. riprap materials must meet Army Corps of Engineers strength and design standards.
3. No sand mining shall be allowed on the beach.
4. Certain access points to beaches shall be closed to off-road vehicle traffic seasonally or temporarily upon findings by the appropriate agency that such closure is necessary.
5. Driftlog removal should be limited.
6. Access to the two documented sites of snowy plover nesting habitat at the mouths of Sutton Creek and Siltcoos River should be prohibited during the nesting season (April - June).

### **Foredune**

1. Because the foredune is a highly impermanent landform and subject to a number of extreme hazards, no permanent development will be allowed here. Allowable development may include temporary raised boardwalks which provide beach access and avoid vegetation trampling.
2. Access to the two documented sites of snowy plover nesting habitat at the mouths of Sutton Creek and Siltcoos River should be prohibited during the nesting season (April - June).
3. Breaching of foredunes shall be allowed only to replenish sand supply in interdune areas or on a temporary basis in an emergency and only if the breaching and restoration after breaching is consistent with sound principles of conservation.
4. When allowed through the LCDC exception process, any residential infilling shall be required to maintain at least a 50-foot horizontal setback from the mean high tide line. A County site review shall be required.
5. Due to the extreme porosity of the sand (and in interdune areas, a high groundwater table), leaks in buried fuel oil or gasoline tanks could present a serious threat to the quality of the groundwater in the dunal aquifer. No new buried fuel tanks shall be permitted without a County inspection to determine proper placement and design standards so that water resources are protected.

### **Foredune**

1. Because of the highly unstable nature of these landforms, development will be prohibited where they occur.
2. Recreational vehicular traffic should be prohibited on any County active sand dune areas north of the Siuslaw River.

### **Recently Stabilized Dune Forms**

1. Development shall result in the least topographic modification of the site as is reasonable and possible.
2. Development shall not result in the clearance of natural vegetation in excess of that which is necessary for the actual structures, required access, fire safety requirements and the required septic or sewage disposal system. Parcels which exhibit vegetation-free areas suitable for development should utilize such areas for the building site where feasible. Areas which exhibit excessive vegetation removal shall be replanted as soon as possible.
3. Sand stabilization is required of the developer or owner: (1) using temporary stabilization techniques during all construction phases, and (2) through an ongoing maintenance program, including preliminary revegetation with beachgrass (or other

species recommended by a recognized expert), fertilization and later plantings of appropriate secondary successional species at the appropriate time. Successional species reduce the extreme fire hazard associated with mature beachgrass.

4. In assessing new development, the cumulative effect of the combination of existing development, along with that proposed, has to be considered in assessing the feasibility of the new development.
5. All development proposals for recently stabilized sand dune areas, except proposals for minimum development, must be accompanied by a Lane County Sand Dune Hazards Checklist. Results of the completed Checklist will determine any need for a further Site Investigation Report.
6. Due to the extreme porosity of the sand (and in interdune areas, a high groundwater table), leaks in buried fuel oil or gasoline tanks could present a serious threat to the quality of the groundwater in the dunal aquifer. No new buried fuel tanks shall be permitted without a County inspection to determine proper placement and design standards so that water resources are protected.

#### **Interdune Forms**

1. Due to the severe limitations of the near shore deflation plain, and in order to protect the quality of the groundwater and the dunal aquifer, development, except for limited minor development, shall be prohibited.
2. Due to the extreme porosity of the sand (and in interdune areas, a high groundwater table) leaks in buried fuel oil or gasoline tanks could present a serious threat to the quality of the groundwater in the dunal aquifer. No new buried fuel tanks shall be permitted without the County inspection to determine proper placement and design standards so that water resources are protected.
3. To assure protection of groundwater and the dunal aquifer, nonsewered residential and other development proposed for interdune areas, other than near shore deflation plain:
  - a. Shall require a staff investigation (Sand Dune Hazards Check-List) and, if deemed necessary by the Lane County Planning Department, a Site Investigation Report;
  - b. Shall not result in the clearance of existing vegetation in excess of that which is necessary for the dwelling unit, required access, fire safety requirements and the required septic or sewage disposal system. If possible, septic drain lines should be placed among existing vegetation to avoid unnecessary vegetation removal. Parcels which exhibit vegetation-free areas should utilize such areas for the building site where feasible. Sites which experience excessive vegetation removal shall be replanted as soon as possible.

#### **Groundwater**

1. Wells designed for municipal or community water supply purposes shall be sited such that bogs with plant assemblages dependent on water tables near the surface are not drained.

#### **GOAL NINETEEN: OCEAN RESOURCES**

1. Lane County shall participate fully in the review and decision-making process of state and/or federal agencies where ocean resources offshore of Lane County territory are likely to be affected.
2. Lane County shall cooperate with state and/or federal agencies in developing the necessary information, including inventories and impact assessment, to allow these agencies to properly evaluate proposed actions and make decisions about whether or not to allow such actions.
3. The County should consult with state and/or federal agencies having responsibilities under this Goal if actions are proposed within the County (and for which the County has all or partial approval authority) which are likely to impact the quality of ocean resources in the area.
4. The County should build and maintain an "information bank" consisting of state or federally generated information about ocean resources, using such information as it is supplied to the County. This information should be made available to County decision-makers in evaluating proposals which may affect ocean resources.
5. Programs or regulations arising from County compliance with LCDC Coastal Goals 16 through 18 should be cognizant of, and seek to enhance the quality of, ocean resources as defined in Goal 19.